



## CITY OF WEST KELOWNA REGULAR COUNCIL AGENDA

Tuesday, January 12, 2021, 1:30 P.M.

COUNCIL CHAMBERS

2760 CAMERON ROAD, WEST KELOWNA, BC

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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.

#### Procedural Motion:

**WHEREAS** the Minister of Public Safety and Solicitor General, under the *Emergency Program Act*, has issued Ministerial Order No. M192, dated June 17, 2020 in regards to "Local Government Meetings and Bylaw Process (COVID-19) Order No. 3", therefore be it resolved;

**THAT** Council does not allow members of the public to attend this open meeting as the meeting space will not accommodate members of the public in accordance with the requirements or recommendations under the *Public Health Act*; and

**THAT** Council hereby notifies the public that this meeting is being webcast live and will be archived on the City's website to ensure openness, transparency, accessibility and accountability in respect of the meeting.

### 2. INTRODUCTION OF LATE ITEMS

### 3. ADOPTION OF AGENDA

### 4. ADOPTION OF MINUTES

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| 4.1. | Minutes of the Special Council Meeting held Tuesday, December 8, 2020 in the City of West Kelowna Council Chambers   | 5  |
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| 4.3. | Minutes of the Special Council Meeting held Thursday, December 10, 2020 in the City of West Kelowna Council Chambers | 15 |

## 5. MAYOR AND COUNCILLOR'S REPORTS

### 5.1. Mayor Milsom

#### 5.1.1. Mayor's Reconsideration

In accordance with Section 131 of the *Community Charter*, the Mayor may require Council reconsideration of a matter, and vote again on a matter that was the subject of a vote. The Mayor may initiate a reconsideration either at the same Council meeting as the vote took place, or within 30 days following that meeting.

Recommendation:

**THAT** Council reconsider all 2020 and 2021 FTE requests presented in the Budget on December 10, 2020; and

**THAT** Council direct staff to bring back a revised FTE request for Council consideration at the January 19, 2021 Budget meeting.

#### 5.1.2. Regional District of Central Okanagan Highlights from the December 7, 2020 Regional Board Meeting

29

## 6. PRESENTATIONS

### 6.1. Chelsea Mossey, Senior Manager, Government Relations, BC Transit

31

Kelowna Regional Transit System

### 6.2. 2020-21 BC Transit Amended Annual Operating Agreement

44

Recommendation:

**THAT** Council authorize the Mayor and Corporate Officer to execute the 2020-2021 Amended Annual Operating Agreement (AOA) between British Columbia Transit and the City of West Kelowna.

## 7. UNFINISHED BUSINESS

## 8. DIVISION REPORTS

### 8.1. CHIEF ADMINISTRATIVE OFFICER

#### 8.1.1. Rose Valley Water Treatment Plant Progress Update

Verbal Update from the CAO and the Director of Engineering

## 8.2. DEVELOPMENT SERVICES

### 8.2.1. A 20-02; Homesite Severance; 3536 Paynter Road

60

Recommendation:

**THAT** Council authorize the homesite severance application to proceed to the ALC for consideration on the condition that the homesite is reduced to the approximate area identified in *Attachment 4*, but to no less than 2,500 m<sup>2</sup> and exclusive of future road dedication.

### 8.2.2. DVP 20-17 and LL 20-03; DVP and Lounge Endorsement Liquor License; 2850 Boucherie Road

75

Recommendation:

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 20-17) at 2850 Boucherie Road to reduce the number of parking spaces from 42 to 33 (variance of 9 spaces) to accommodate a brewery and accessory uses; and

**THAT** Council support the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement application (LL 20-03) for The Hatching Post (2850 Boucherie Road) in accordance with the information contained in this report.

### 8.2.3. LL 20-02; Lounge Endorsement and Special Event Area Liquor License; 3930 Harding Road

84

Recommendation:

**THAT** Council support the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement and Special Event Area application (LL 20-02) for Crown and Thieves Winery (3930 Harding Road) in accordance with the information contained in this report.

## 8.3. ENGINEERING / PUBLIC WORKS / PARKS

### 8.3.1. Rose Valley Water Treatment Plant Electrical, Instrumentation and Controls Equipment Supply Award

98

Recommendation:

**THAT** Council authorize the Mayor and Corporate Officer to execute an agreement with Spartan Controls Limited for the supply of Electrical, Instrumentation, and Controls for the Rose

Valley Water Treatment Plant in the amount of Two Million, Seven Hundred and Eighty One Thousand, Two Hundred and Ninety Seven dollars (\$2,781,297.00).

**8.3.2. Rose Valley Water Treatment Plant Ultraviolet Disinfection Equipment Supply Award 105**

Recommendation:

**THAT** Council authorize the Mayor and Corporate Officer to execute an agreement with Xylem Canada Company for the supply of Ultraviolet Disinfection Equipment for the Rose Valley Water Treatment Plant in the amount of Two Hundred and Eighty Nine Thousand, Nine Hundred and Ninety Nine dollars, and Eighty Cents (\$289,999.80).

**8.3.3. In-House Mowing Program Trial – Year 1 112**

Information Report from the Parks and Fleet Operations Manager

**8.4. FIRE RESCUE SERVICES**

**8.5. CORPORATE INITIATIVES**

**8.6. FINANCIAL SERVICES / RECREATION AND CULTURE**

**9. CORRESPONDENCE AND INFORMATION ITEMS**

**9.1. Letter from the Southern Interior Local Government Association (SILGA) dated December 15, 2020 re Amendment Resolutions to the SILGA Constitution 115**

**10. NOTICE OF MOTION**

**11. ADJOURNMENT OF THE REGULAR MEETING**

The next Special Council meeting is scheduled for 1:00 p.m., Tuesday, January 19, 2021.

The next Regular Council meeting is scheduled for 6:00 p.m., Tuesday, January 26, 2021.





**CITY OF WEST KELOWNA**  
**MINUTES OF THE SPECIAL MEETING OF COUNCIL**

Tuesday, December 8, 2020  
COUNCIL CHAMBERS  
2760 CAMERON ROAD, 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

Staff Present: Paul Gipps, CAO  
Allen Fillion, Director of Engineering and Public Works  
Warren Everton, CFO  
Jason Brolund, Fire Chief  
Sandy Webster, Director of Corporate Initiatives  
Michelle Reid, Director of Human Resources  
Mark Koch, Director of Development Services  
Shelley Schnitzler, Legislative Services Manager/Corporate Officer

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

The Special Council meeting was called to order at 12:08 p.m.

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

**2. PROCEDURAL MOTION**

It was moved and seconded

Resolution No. C303/20

**WHEREAS** the Minister of Public Safety and Solicitor General under the *Emergency Program Act* has issued Ministerial Order No. M192, dated June 17, 2020, in regards to "Local Government Meetings and Bylaw Process (COVID-19) Order No. 3", therefore be it resolved

**THAT** Council does not allow members of the public to attend this open meeting as the meeting space will not accommodate members of the public in accordance with the requirements or recommendations under the *Public Health Act*.

CARRIED UNANIMOUSLY

**3. ADDITIONS OR CHANGES TO PROCEDURAL MOTION**

Add 90.2(b)

**4. ADOPTION OF AGENDA**

It was moved and seconded

Resolution No. C304/20

**THAT** the agenda be adopted as amended.

CARRIED UNANIMOUSLY

**5. PROCEDURAL MOTION**

It was moved and seconded

Resolution No. C305/20

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

(c) labour relations or other employee relations;

(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,

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

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

CARRIED UNANIMOUSLY

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

The Special Council meeting adjourned at 1:22 p.m.

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MAYOR

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LEGISLATIVE SERVICES MANAGER/CORPORATE OFFICER



**CITY OF WEST KELOWNA**  
**MINUTES OF THE REGULAR MEETING OF COUNCIL**

Tuesday, December 8, 2020  
COUNCIL CHAMBERS  
2760 CAMERON ROAD, 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

Staff Present: Paul Gipps, CAO  
Allen Fillion, Director of Engineering / Public Works  
Warren Everton, Director of Finance / CFO  
Sandy Webster, Director of Corporate Initiatives  
Michelle Reid, Director of Human Resources  
Mark Koch, Director of Development Services  
Jason Brolund, Fire Chief  
Brent Magnan, Planning Manager  
Rob Hillis, Engineering Manager  
Shelley Schnitzler, Legislative Services Manager/Corporate Officer  
Erin Goodwin, Facilities and Recreation Manager  
Jeff Fletcher, Facilities Supervisor

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

The meeting was called to order at 1:32 p.m.

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

It was moved and seconded

Resolution No. C306/20

**Procedural Motion:**

**WHEREAS** the Minister of Public Safety and Solicitor General, under the *Emergency Program Act*, has issued Ministerial Order No. M192, dated June 17, 2020 in regards to "Local Government Meetings and Bylaw Process (COVID-19) Order No. 3", therefore be it resolved;

**THAT** Council does not allow members of the public to attend this open meeting as the meeting space will not accommodate members of the public in accordance with the requirements or recommendations under the *Public Health Act*; and

**THAT** Council hereby notifies the public that this meeting is being webcast live and will be archived on the City's website to ensure openness, transparency, accessibility and accountability in respect of the meeting.

CARRIED UNANIMOUSLY

**2. INTRODUCTION OF LATE ITEMS**

**3. ADOPTION OF AGENDA**

It was moved and seconded

Resolution No. C307/20

**THAT** the agenda be adopted as presented.

CARRIED UNANIMOUSLY

**4. ADOPTION OF MINUTES**

**4.1 Minutes of the Special Council Meeting held Tuesday, November 24, 2020 in the City of West Kelowna Council Chambers**

It was moved and seconded

Resolution No. C308/20

**THAT** the minutes of the Special Council Meeting held Tuesday, November 24, 2020 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

**4.2 Minutes of the Public Hearing held Tuesday, November 24, 2020 in the City of West Kelowna Council Chambers**

It was moved and seconded

Resolution No. C309/20

**THAT** the minutes of the Public Hearing held Tuesday, November 24, 2020 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

**4.3 Minutes of the Regular Council Meeting held Tuesday, November 24, 2020 in the City of West Kelowna Council Chambers**

It was moved and seconded

Resolution No. C310/20

**THAT** the minutes of the Regular Council Meeting held Tuesday, November 24, 2020 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

**5. MAYOR AND COUNCILLOR'S REPORTS**

**5.1 Mayor Milsom**

**5.1.1 Regional District of Central Okanagan Highlights from the November 23, 2020 Regional Board Meeting**

**6. PRESENTATIONS**

**6.1 Sarah McKinney, Stakeholder Engagement Advisor, Capital Project Delivery, and Rachelle Trent, Project Manager, BC Hydro**

Sarah McKinney and Rachelle Trent provided an update on the West Kelowna Transmission Project.

**7. UNFINISHED BUSINESS**

**8. DIVISION REPORTS**

**8.1 CHIEF ADMINISTRATIVE OFFICER**

**8.1.1 Rose Valley Water Treatment Plant Progress Update**

The Director of Engineering and Public Works provided a verbal update on the progress of the Rose Valley Water Treatment Plant.

**8.2 DEVELOPMENT SERVICES**

**8.2.1 Z 20-04; Official Community Plan Amendment Bylaw No. 0100.61 and Zoning Amendment Bylaw No. 0154.94 (1st and 2nd Reading), Highway 97 S (Goats Peak Block C)**

It was moved and seconded

Resolution No. C311/20

**THAT** Council give first and second reading to Official Community Plan Amendment Bylaw No.0100.61, 2020 and Zoning Amendment Bylaw No. 0154.94, 2020; and

**THAT** Council direct staff to schedule the bylaws for public hearing.

CARRIED UNANIMOUSLY

The meeting recessed at 2:50 p.m.

The meeting reconvened at 3:12 p.m.

**8.2.2 Z 20-12; Site-Specific Rezoning – Cannabis Application Acceptance Consideration; 2475 Dobbin Road**

It was moved and seconded

Resolution No. C312/20

**THAT** Council direct staff to accept a Non-Medical Cannabis Retail Store Rezoning application for a government operated cannabis retail outlet located at 2475 Dobbin Road.

DEFEATED: Councillors Findlater, Friesen, Johnston, Zanon and Zilkie opposed

**8.2.3 Z 19-01; OCP Amendment Bylaw No. 0100.50 and Zoning Amendment Bylaw No. 0154.83 (Adoption); 3060 Seclusion Bay Road**

It was moved and seconded

Resolution No. C313/20

**THAT** Council adopt Official Community Plan Amendment Bylaw No. 0100.50 and Zoning Amendment Bylaw No. 0154.83.

CARRIED UNANIMOUSLY

**8.2.4 Z 20-06, OCP and Zoning Amendment Bylaw No. 100.60 and 154.92 (Adoption), Unaddressed Canyon Crest Drive**

It was moved and seconded

Resolution No. C314/20

**THAT** Council adopt City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.60, 2020 (File: Z 20-06); and

**THAT** Council adopt City of West Kelowna Zoning Amendment Bylaw No. 0154.92, 2020 (File Z 20-06).

CARRIED UNANIMOUSLY

#### **8.2.5 DVP 20-12, Development Variance Permit, 1219 Sunnybrae Road**

It was moved and seconded

Resolution No. C315/20

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 20-12) for Lot 26, District Lot 581, ODYD, Plan 17329 (1219 Sunnybrae Road) to vary S.10.4.5(g).1 to reduce the required front parcel boundary setback from 4.5 m to 1.5 m for a proposed covered entry addition to the existing dwelling.

CARRIED UNANIMOUSLY

#### **8.2.6 FEX 20-02, Floodplain Exemption, 15A - 1375 Green Bay Road**

It was moved and seconded

Resolution No. C316/20

**THAT** Council approve the Floodplain Exemption (FEX 20-02) to S. 3.24 of Zoning Bylaw No. 0154 for manufactured home site #15A of Lot B, DL 434 & 523, ODYD Plan KAP76165 (1375 Green Bay Road) for the placement of a mobile home subject to the registration to title of an indemnity covenant and the following conditions:

- A minimum 5.0m setback is provided from the top of the bank of Green Bay Canal to the mobile home;
- The underside of the mobile home's structure frame shall meet or exceed 343.66m; and
- An environmental monitor will be engaged for the placement of the mobile home.

CARRIED UNANIMOUSLY

### **8.3 ENGINEERING / PUBLIC WORKS / PARKS**

#### **8.3.1 Road DCC and Pedestrian Improvements Plan Recommended Projects List**

The Director of Engineering and Public Works provided an update on the Road DCC and Pedestrian Improvements Plan.



**8.3.2 Sunnyside and West Kelowna Estates Transmission Mains – Design Services Award**

It was moved and seconded

Resolution No. C317/20

**THAT** Council authorize the Mayor and Corporate Officer to execute an agreement with WSP Canada Inc. for consulting services for the design of the Sunnyside and West Kelowna Estates Transmission Mains in the amount of One Hundred Forty Six Thousand, Nine Hundred and Eleven dollars (\$146,911).

CARRIED; Councillor Zanon opposed

**8.4 FIRE RESCUE SERVICES**

**8.5 CORPORATE INITIATIVES**

**8.6 FINANCIAL SERVICES / RECREATION AND CULTURE**

**8.6.1 Mt. Boucherie Ammonia Chiller Replacement – Early Approval**

It was moved and seconded

Resolution No. C318/20

**THAT** Council postpone consideration of early approval for the Mt. Boucherie Ammonia Chiller Replacement until budget deliberations on December 10, 2020.

CARRIED; Councillors de Jong, Zanon and Zilkie opposed

**8.6.2 BC Hydro Fast Charging Station – Agreement Options**

It was moved and seconded

Resolution No. C319/20

**THAT** Council direct staff to execute Amendment Agreement Number 1 between BC Hydro and the City of West Kelowna (CWK) to operate a Direct Current Fast Charging (DCFC) station at 3678 Brown Road.

CARRIED UNANIMOUSLY

**9. CORRESPONDENCE AND INFORMATION ITEMS**

**10. NOTICE OF MOTION**

**11. ADJOURNMENT OF THE REGULAR MEETING**

The meeting adjourned at 4:45 p.m.

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MAYOR

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LEGISLATIVE SERVICES MANAGER/CORPORATE OFFICER



**CITY OF WEST KELOWNA**  
**MINUTES OF THE SPECIAL MEETING OF COUNCIL**

Thursday, December 10, 2020  
COUNCIL CHAMBERS  
2760 CAMERON ROAD, 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

Staff Present: Paul Gipps, CAO  
Allen Fillion, Director of Engineering and Public Works  
Warren Everton, CFO  
Jason Brolund, Fire Chief  
Sandy Webster, Director of Corporate Initiatives  
Michelle Reid, Director of Human Resources  
Mark Koch, Director of Development Services  
Shelley Schnitzler, Legislative Services Manager/Corporate Officer  
Lisa Siavashi, Financial Services Manager/Deputy CFO  
Stacey Harding, Parks and Fleet Operations Manager  
Erin Goodwin, Facilities and Recreation Manager  
Rob Hillis, Engineering Manager  
Mike Cain, Bylaw Services Manager  
Chris Anderson, Public Works Manager  
Chad Gartrell, Assistant Fire Chief  
Travis Clarke, Information Services Manager  
Duncan Dixon, Staff Sgt., RCMP  
Kari O'Rourke, Communications Manager  
Kathi Watt, Police Services Supervisor  
Jeff Fletcher, Facilities Supervisor  
Dan Ricciuti, Utilities Supervisor  
Andrea Mandau, Senior Accountant  
Jag Badhan, Senior Accountant

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

The meeting was called to order at 9:03 a.m..

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

**Procedural Motion:**

It was moved and seconded

Resolution No. C320/20

**WHEREAS** the Minister of Public Safety and Solicitor General, under the *Emergency Program Act*, has issued Ministerial Order No. M192, dated June 17, 2020 in regards to "Local Government Meetings and Bylaw Process (COVID-19) Order No. 3", therefore be it resolved;

**THAT** Council does not allow members of the public to attend this open meeting as the meeting space will not accommodate members of the public in accordance with the requirements or recommendations under the *Public Health Act*; and

**THAT** Council hereby notifies the public that this meeting is being webcast live and will be archived on the City's website to ensure openness, transparency, accessibility and accountability in respect of the meeting.

CARRIED UNANIMOUSLY

**2. INTRODUCTION OF LATE ITEMS**

**2.1 Replacement Page 15 of the Agenda package**

**2.2 Replacement Page 49 of the Financial Plan document**

**3. ADOPTION OF AGENDA**

It was moved and seconded

Resolution No. C321/20

**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 CHIEF ADMINISTRATIVE OFFICER**

The CAO provided an introduction of the 2021 proposed budget.

**8.2 FINANCIAL SERVICES**

**8.2.1 Draft 2021-2025 Financial Plan, Supplemental Requests and Ten-Year Capital Plan**

The CFO provided an overview of the 2021-2025 Financial Plan.

*The meeting recessed at 10:18 a.m.*

*The meeting reconvened at 10:33 a.m.*

It was moved and seconded

Resolution No. C322/20

**THAT** Council support the 2021 supplemental Budget Requests:

S2021-1 Material Disposal Costs - \$10,000 – Public Works – Roads and Drainage;

S2021-2 Winter Sale and Sand Purchase - \$8,000 – Public Works – Roads and Drainage;

S2021-3 Contract Services Sidewalk Repairs - \$10,000 – Public Works – Roads and Drainage;

S2021-4 Storm Pond – Annual Sediment Removal Program - \$50,000 – Public Works – Roads and Drainage;

S2021-5 Rock Fall and Slope Maintenance - \$50,000 – Public Works – Roads and Drainage;

S2021-6 Critical Spare/Emergency Equipment - \$75,000 – Public Works – Powers Creek Water Treatment Plant.

CARRIED UNANIMOUSLY

**SUPPLEMENTAL – NEW FTE'S - 2021**

It was moved and seconded

Resolution No. C323/20

**THAT** Council support the 2021 supplemental New FTE Budget Request:

FTE2021-1 Business Licensing Supervisor – Bylaw Compliance

CARRIED; Councillors Johnston and Zilkie opposed

It was moved and seconded

Resolution No. C324/20

**THAT** Council support the 2021 supplemental Budget Request:

FTE2021-2 Engineering Tech II – Engineering

CARRIED; Councillors Findlater and Johnston opposed

*The meeting recessed at 11:58 a.m.*

*The meeting reconvened at 12:31 p.m.*

It was moved and seconded

Resolution No. C325/20

**THAT** Council support the 2021 supplemental Budget Request:

FTE2021-3 Police Services Assistant – Police Services

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C326/20

**THAT** Council support the 2021 supplemental Budget Request:

F2021-8 Regular Member – Police Services, with consideration of the funding formula to be presented at time of second reading of the bylaw.

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C327/20

**THAT** Council support the 2021 supplemental Budget Request:

FTE2021-4 Relief Mechanic – Fleet

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C328/20

**THAT** Council support the 2021 supplemental Budget Request:

FTE2021-5 Intermediate Accounting Clerk – Finance

CARRIED; Councillors Findlater and Johnston opposed

It was moved and seconded

Resolution No. C329/20

**THAT** Council support the 2021 supplemental Budget Request:

FTE2021-6 Term: Communications Advisor – Communications

DEFEATED; Councillors de Jong, Johnston, Findlater, Friesen, and Zilkie opposed

It was moved and seconded

Resolution No. C330/20

**THAT** Council support the 2021 supplemental Budget Request:

FTE2021-7 Human Resource Assistant – Human Resources

CARRIED; Councillor Findlater opposed

### **SUPPLEMENTAL – NEW FTE'S (FROM 2020)**

It was moved and seconded

Resolution No. C331/20

**THAT** Council support the 2021 supplemental New FTE Budget Request:

FTE2020-2 Parks Maintenance Operator II – Parks

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C332/20

**THAT** Council support the 2021 supplemental New FTE Budget Request:

FTE2020-6 Turf Mowing Crew – Parks

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C333/20

**THAT** Council support the 2021 supplemental New FTE Budget Request:  
FTE2020-8 GIS Coordinator – Information Services

CARRIED; Councillor Johnston opposed

It was moved and seconded

Resolution No. C334/20

**THAT** Council support the 2021 supplemental New FTE Budget Request:  
FTE2020-9 Roads and Drainage Foreman – Roads Drainage

DEFEATED; Councillors de Jong, Johnston, Friesen, Findlater, and Zilkie  
opposed

*The meeting recessed at 1:55 p.m.*

*The meeting reconvened at 2:12 p.m.*

It was moved and seconded

Resolution No. C3335/20

**THAT** Council consider and resolve that FTE 2020-9 be reconsidered;  
and

**THAT** Staff be directed to look at opportunities to reduce the equivalent  
costs.

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C336/20

**THAT** Council consider and resolve to initiate a 5-year pilot project  
starting in 2021 to bring in a 4 person capital works crew to be funded  
from capital; and further



**THAT** Staff report back on the projects and the timing of the projects to be undertaken, on a quarterly basis.

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C337/20

**THAT** Council support the 2021 Capital Budget Request for Roads as follows:

C2021-01 Road Rehab Program \$1,200,000

C2021-02 Pavement Management Plan \$100,000

C2021-03 Gellatly Road North and Carrington Road Intersection Improvements \$2,500,000

C2021-04 Shannon Lake Bartley and Stevens Roads Intersection Improvements \$2,800,000

C2021-05 Shannon View Slope Improvements \$440,000

C2021-06 Bridges Maintenance – Per Stantec Bridge Maintenance Report \$190,000

C2021-07 Westlake Road Turtle Fencing \$40,000

CARRIED; Councillor de Jong opposed

It was moved and seconded

Resolution No. C338/20

**THAT** Council support the 2021 Capital Budget Request for Equipment as follows:

C2021-18 Zamboni Replacement \$200,000

CARRIED; Councillors de Jong and Findlater opposed

It was moved and seconded

Resolution No. C339/20

**THAT** Council support the 2021 Capital Budget Request for Equipment as follows:

C2021-17 Asphalt Hot-Box and Equipment \$103,000

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C340/20

**THAT** Council support the 2021 Capital Budget Request for Equipment as follows:

C2021-16 Hook Truck \$100,000

DEFEATED; Councillors de Jong, Findlater, Johnston and Zilkie opposed

It was moved and seconded

Resolution No. C341/20

**THAT** Council support the 2021 Capital Budget Request for Equipment as follows:

C2021-08 Parks Maintenance Equipment \$44,700

C2021-09 Sidewalk Snow Blower Attachment \$23,000

C2021-10 Utilities Truck Replacements Pickups (2) \$90,000

C2021-11 Plate Compactor \$22,000

C2021-12 New Trailer \$18,000

C2021-13 Utilities Truck Replacement – Cube Truck \$93,000

C2021-14 Backhoe Replacement \$160,000

C2021-15 Bobcat Replacement \$95,000

C2021-19 Community Policing Van \$38,000

CARRIED UNANIMOUSLY

*The meeting recessed at 3:45 p.m.*

*The meeting reconvened at 4:01 p.m.*

It was moved and seconded

Resolution No. C342/20

**THAT** Council support the 2021 Capital Budget Request for Development Services as follows:

C2021-20 Development Cost Charge (DCC) Bylaw 0190 Review and Update \$100,000

C2021-21 Corporate Climate Action Plan \$70,000

C2021-22 Official Community Plan Review \$135,000

C2021-23 Point In Time Count \$10,000

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C343/20

**THAT** Council support the 2021 Capital Budget Request for Storm Drainage as follows:

C2021-24 Rosewood to Westlake Drainage and Dam Release \$455,000

C2021-25 Lansbury Way Drainage Improvements \$300,000

C2021-26 Surrey Road Drainage Improvements \$50,000

C2021-27 Spyglass to Westview Channel Improvements \$85,000

C2021-28 Flood Risk Assessment \$180,000

C2021-29 Inverness Culvert Replacement \$100,000

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C344/20

**THAT** Council support the 2021 Capital Budget Request for Pedestrian Infrastructure as follows:

C2021-30 Pedestrian Improvement Program – Sidewalks \$1,200,000

C2021-31 Recreation / Lakeside Trails \$100,000

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C345/20

**THAT** Council support the 2021 Capital Budget Request for Parks and Community Amenities as follows:

C2021-41 Parks Master Plan – Five Year Update \$80,000

DEFEATED; Councillors de Jong, Johnston, Friesen, Findlater, Zilkie and Zanon opposed

It was moved and seconded

Resolution No. C346/20

**THAT** Council support the 2021 Capital Budget Request for Parks and Community Amenities as follows:

C2021-32 Infield Soil Replacements – Ranch CR1-A.5 \$12,000

C2021-33 Casa Loma Dock Improvements CR4.2 \$137,000

C2021-34 Playground Repairs \$50,000

C2021-35 Beach Access Property Alignments \$50,000

C2021-36 Repave Hall #32 Front Lot \$24,000

C2021-37 Geese Deterrent Lighting \$7,500

C2021-38 Christmas Display Improvements \$40,000

C2021-39 Boucherie Parking Lot Improvements \$20,000

C2021-40 Bear Proof Garbage Cans \$12,000

C2021-42 Parks Irrigation – Renewal and Replacement \$40,000

C2021-43 Playground Equipment Replacements – New \$75,000

C2021-44 Mount Boucherie Courtyard Surface Replacement \$75,000

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C347/20

**THAT** the meeting be extended to 6:00 p.m.

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C348/20

**THAT** Council support the 2021 Capital Budget Request for General Capital as follows:

C2021-45 Asset Management Plan Implementation \$100,000

CARRIED; Councillor Findlater opposed

It was moved and seconded

Resolution No. C349/20

**THAT** Council support the 2021 Capital Budget Request for Facilities as follows:

C2021-46 Fire Hall #31 – Fall Protection \$60,000

C2021-47 Fire Hall #31 – Dorm Renovations \$25,000

C2021-48 Fire Hall #31 – Security Fence and Gate \$15,000

C2021-49 Fire Hall #32 – Tender Drawings (Recommend Parcel Tax) \$750,000

C2021-50 Johnson Bentley Aquatic Centre – Fitness Equipment Upgrade \$18,000

C2021-51 Arena – Jim Lind – Ammonia Chiller Replacement \$450,000

C2021-52 Seniors' Centre – Air Conditioner Replacement \$25,000

C2021-53 Public Works Yard Site Preparation and Tender Drawings \$275,000

C2021-54 City Hall – Concept Plan, Tender Drawings and Consulting Services \$2,000,000

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C350/20

**THAT** Council support the 2021 Capital Budget Request for Fire Department Equipment as follows:

C2021-55 Self Contained Breathing Apparatus \$1,072,000

CARRIED; Councillor Zilkie opposed

*Mayor Milsom left the meeting at 5:32 p.m.*

It was moved and seconded

Resolution No. C351/20

**THAT** Council support the 2021 Capital Budget Request for Fire Department Equipment as follows:

C2021-56 Personal Protective Equipment \$90,000

CARRIED UNANIMOUSLY (Mayor Milsom was not present for the vote)

*Mayor Milsom returned to the meeting at 5:36 p.m.*

It was moved and seconded

Resolution No. C352/20

**THAT** Council support the 2021 Capital Budget Request for Information Services as follows:

C2021-57 Server Replacement – Core \$36,000

C2021-58 Network Replacement – Access/Layer 3 Switches \$43,275

C2021-59 Network Replacement – Wireless Access Points \$13,600

C2021-60 Annual Orthophoto/Dem/Contour Update \$40,000

C2021-61 External Endpoint Management \$5,500

C2021-62 Non-Microsoft Patching \$5,300

C2021-63 Datacentre – Power Distribution Units \$13,200

C2021-64 CityView Software Enhancement – Online Permit Application \$40,000

C2021-65 Budget Software \$100,000

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C353/20

**THAT** Council support the 2021 Capital Budget Request for Water Utility as follows:

C2021-66 Powers Creek Water Treatment Plant Emergency Call Out Upgrade \$35,000

C2021-67 Powers Creek Water Treatment Plant Compressor Replacement \$44,100

C2021-68 Powers Creek Water Treatment Plant Cybersecurity Upgrade \$30,000

C2021-69 Powers Creek Water Treatment Plant Flash Mix Repair/Upgrade \$43,600

C2021-70 Powers Creek Water Treatment Plant Power Meter \$22,215

C2021-71 Rose Valley Water Treatment Plant – Borrowing \$23,500,000

C2021-72 CWK Back Flow Prevention \$25,000

C2021-73 Hydrant Extensions \$84,925

C2021-74 Phase 10 Generator \$122,400

C2021-75 Sunnyside Intake Screen Replacement \$65,250

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C354/20

**THAT** the 2021 Grants In Aid be approved in principle.

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C355/20

**THAT** the meeting be extended to 6:15 p.m.

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C356/20

**THAT** Council direct staff to incorporate the supported supplemental budget requests, capital projects, additions and deletions into the City of West Kelowna's Financial Plan for 2021-2025; and

**THAT** Council give first reading to City of West Kelowna 2021-2025 Financial Plan Bylaw No. 0284, 2020.

CARRIED; Councillor Findlater opposed

### **8.2.2 2021 Financial Plan Early Approval Requests**

It was moved and seconded

Resolution No. C357/20

**THAT** Council authorize staff to proceed with the capital expenditures, supplemental FTE's and supplemental requests on the attached Schedules A and Schedule B as amended, to include the Design Technologist, to remove FTE2021-6 Term Communications Advisor, to remove C02021-16 Hook Truck, and to remove C2021-41 Parks Master Plan – Five Year Update.

CARRIED UNANIMOUSLY

### **9. CORRESPONDENCE AND INFORMATION ITEMS**

### **10. NOTICE OF MOTION**

### **11. ADJOURNMENT OF THE SPECIAL MEETING**

The meeting adjourned at 6:08 p.m.

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MAYOR

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LEGISLATIVE SERVICES MANAGER/CORPORATE OFFICER



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## Highlights of the Regional Board Meeting – December 7, 2020

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### Regional Board Committee Appointments

The Regional Board has approved the appointment of Directors to represent the RDCO during 2021 on several boards and committees. Directors Baker, Basran and Fortin will serve on the Okanagan Basin Water Board. Directors Sieben and Baker will serve on the Board for the Sterile Insect Release program. Director Carson is appointed to the Okanagan Library Board while Director Bartyik will serve on the Economic Development Commission Advisory Board. Director Milsom will Chair a new North Westside Provincial Restructure Planning Grant Committee along with Directors Bartyik, Carson and a representative of the North Westside Communities Association.

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### Falcon Ridge Water Area Expansion

The Regional Board has approved a bylaw amendment adding two new properties to an expanded Falcon Ridge Water System Service Area. After the Service Area bylaw was approved in September allowing nine additional properties to join the system, these property owners approached the RDCO in the fall requesting connection to the water system. Subject to Regional Board approval of the 2021 – 2022 Financial Plan, it's anticipated design and construction work to expand the water system will take begin next year.

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### Brent Road Service Area Withdrawal

The Regional Board has received a letter from the City of West Kelowna advising that it does not support withdrawing a portion of the Central Okanagan West Electoral Area from contributing annual funding for the Johnson Bentley Pool and Mount Boucherie Recreation Complex/Westside Senior Citizens Activity Centre. Property owners along Brent Road asked if they could be removed from funding these West Kelowna services which were transferred from the RDCO to the municipality during the 2007 incorporation.

### FireSmart Planning and Activities

The Regional Board has approved submission of a grant application to help fund FireSmart planning and activities for the Joe Rich Fire Department. The application requests \$49,242.60 funding from the Union of BC Municipalities Community Resiliency Investment Program to assist the paid-on-call department in efforts to reduce the community's wildfire risk.

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### Green Vehicle and Equipment Policy

The Regional Board has approved a new policy to help support the Climate Action Charter goal of carbon neutrality and reducing Greenhouse Gas Emissions. When appropriate and financially and technically possible, alternate/green fuel vehicles and equipment will be considered for operations to assist in lowering polluting emissions.

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### January - March Spending Approved

The Regional Board has approved the carryover of some budgeted 2020 projects to the first three months of 2021. These projects were either not started or are in the process of completion. In addition, a number of 2020 - 2024 Financial Plan amendments were approved so that projects may proceed between January and March.

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### Electoral Area Directors Conferences

The Regional Board has authorized the registration and travel (if needed) of two electoral area representatives for training conferences and seminars in 2021. While many of the approved events will be held virtually, registration fees still apply for Central Okanagan East Director Mark Bartyik and Central Okanagan West Director Wayne Carson.

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### Video

- **Regular Regional Board Meeting**

When a meeting begins a Live Video link will be available for that meeting in the Upcoming Meeting agenda section. When available a link to the Video recording will be posted in the Past Meetings section for the individual meeting date. Links at [rdco.com/agenda](http://rdco.com/agenda)

## Regional Board Meetings

Regional District office – 1450 KLO Road, Kelowna (Woodhaven Boardroom) – limited physically distanced seating available for public safety.

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



Even though things are looking different this year, there are still ways to connect and celebrate the season. Bake treats for family and friends, send a homemade card, meet up online and paint together or teach someone a new skill.

**This season, celebrate with less waste**

Find ideas at  
[rdco.com/creatememories](https://rdco.com/creatememories)

Regional District of  
Central Okanagan

Concept and creative courtesy of Metro Vancouver

## Upcoming Holiday Office Closures

All programs and services provided from offices in the Regional District of Central Okanagan on KLO Road in Kelowna will be closed from Christmas Day Friday, December 25 through New Year's Day Friday, January 1.

Emergencies involving the six RDCO water systems should be directed to 250-868-5299. During the office closure, payments may be made online at [rdco.com/payments](https://rdco.com/payments).

We look forward to serving you again at 8:00 am, Monday, January 4, 2021.

There will not be any regular curbside garbage, recycling or yard waste collection on either the Friday, December 25 or Friday, January 1 holidays. Those who normally receive Friday curbside pickup should put their carts out for collection on Saturday, December 26 and January 2. Consult the Living Greener Calendar, Recycle Coach App or visit [rdco.com/recycle](https://rdco.com/recycle) for more information.

The Westside Residential Waste Disposal and Recycling Centre on Asquith Road in West Kelowna will be closed on Friday, December 25 and Friday, January 1 during the holiday season. The North Westside transfer station will be closed on Saturday, December 26. The Traders Cove transfer station will be open its regular winter days and hours.

The Environmental Education Centre for the Okanagan in Mission Creek Regional Park will be closed Thursday, December 24 through Saturday, December 26 and Friday, January 1.






**Kelowna Regional Transit System**  
 City of West Kelowna  
 January 12, 2021

Chelsea Mossey  
 Senior Manager, Government Relations

## Presentation Topics

- ☐ BC Transit Overview
  - ☐ Kelowna Regional Transit System
- ☐ COVID-19 Response
- ☐ COVID-19 Impacts
  - ☐ Safe Restart Funding
- ☐ Looking Ahead
  - ☐ Digital On-Demand Transit
  - ☐ Electronic Fare Collection
  - ☐ Low Carbon Fleet Program
  - ☐ Facility Master Plan





# BC Transit Overview

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## Who is BC Transit?

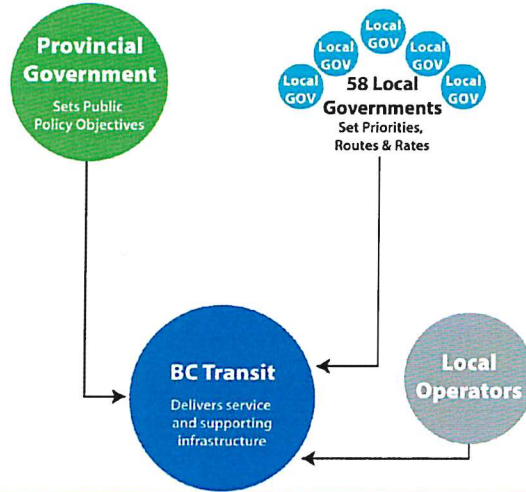
- Provincial authority responsible for the planning, funding and operation of all transit throughout the Province outside of Metro Vancouver
  - » 51+ million passenger trips
  - » 1,013 buses in a range of sizes
  - » 1.5 million British Columbians served
  - » 130 Communities, 81 transit systems

### Partnerships:

- 58 local government partners
- 18 private management companies, 5 public organizations, 14 non-profits



## BC Transit Partnership Model



## Roles and Responsibilities

### BC Transit

- Allocates provincial funding
- Plans transit systems to achieve local and provincial objectives
- Arranges for the operation of transit systems by contract or partnership
- Procures & owns fleet - Determines the fleet & facilities requirements
- Marketing (Rider's Guides) / website branding, media & public relations
- Provides contract management and overall operator/operations oversight
- Develops and manages capital budget and asset acquisition
- Provides financial & accounting
- Other professional services required to plan, finance and implement transit systems

### Local Government

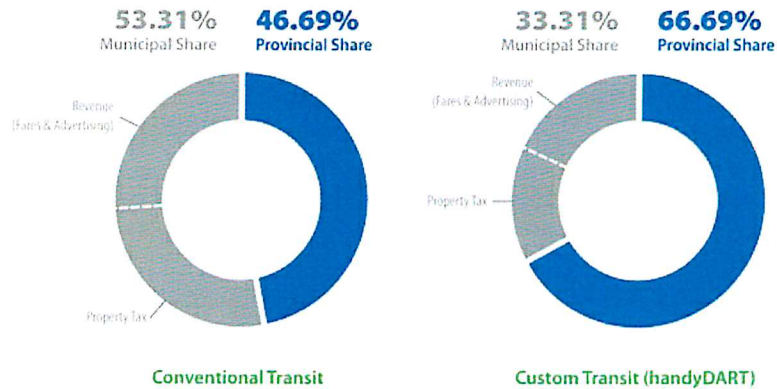
- Sets local funding
- Sets routes and service levels with BC Transit, ongoing review
- Sets fares and manages the sale of fare products
- Establishes and maintains bus stops, shelters and amenities
- Approves Official Community Plan, Transit vision and expectations, and transit supportive policies
- Determines service priorities with BC Transit
- Approves transit related agreements and budgets
- Promotes ridership with BC Transit marketing/branding
- Transit service education and consultation

### Local Operating Company

- Delivers specified transit services as directed by BC Transit
- Hires, trains and provides drivers
- Manages labour relations
- Collects fare revenue on behalf of the Local Government
- Provides day to day customer service (info line, lost & found inquiries, etc.)
- Assists with data collection
- Helps promote the transit service

## Shared Services Model

### Regional Transit System – Legislated Funding Formula



- Local Government retains 100% of revenue to offset local costs

## Kelowna Regional Transit System

- Conventional/Community Transit & Custom Transit (handyDART)
  - » 6 local governments
- Operated by First Canada
- Fleet:
  - » 75 conventional buses;
  - » 12 community buses;
  - » 23 custom transit buses





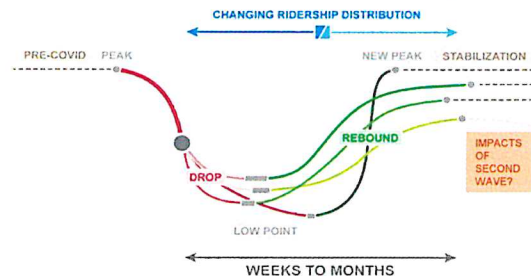
## Kelowna Regional Transit Governance Structure

- **Local Cost Sharing** – determined by the total percentage of service hours delivered in each local government jurisdiction.
- **Local Revenue Sharing** – split by total percentage of ridership (75%) and service hours (25%) in each local government jurisdiction.
- **Change Mgmt.** – service changes requested by each LGP to BCT, revenue and cost %'s adjusted accordingly.

## COVID-19: Response and Impacts

## COVID-19: Response, Recover, Rebuild

- **Response:** Emergency scale down of transit service
- **Recovery:** Scaling back up
- **Rebuild:** Ensure long-term sustainability



### Response (March – mid-May)

- Capacity limited to 40% on buses
- Front door boarding/no fare collection
  - » Decrease in ridership and loss of revenue
- Enhanced cleaning protocols
- Additional PPE for handyDART operators
- 2020/21 expansions deferred



## **Recovery (mid-May – onwards)**

- Fare collection resumed (June 1)
- Allowable capacity on buses increased (“comfortable load”)
- Face coverings mandatory as of August 24
- Signage encouraging personal etiquette
- Installation of full driver doors
- Continuation of enhanced cleaning protocols
  - » Stage 3 cleaning in effect

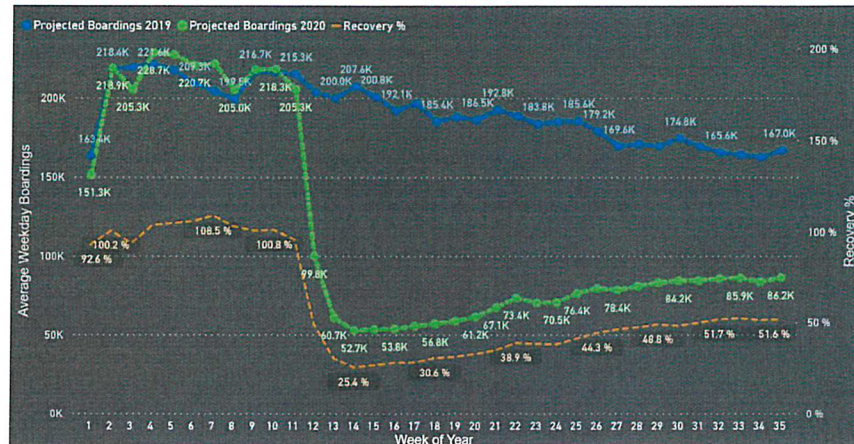


## **Rebuild Phase: Future of Transit**

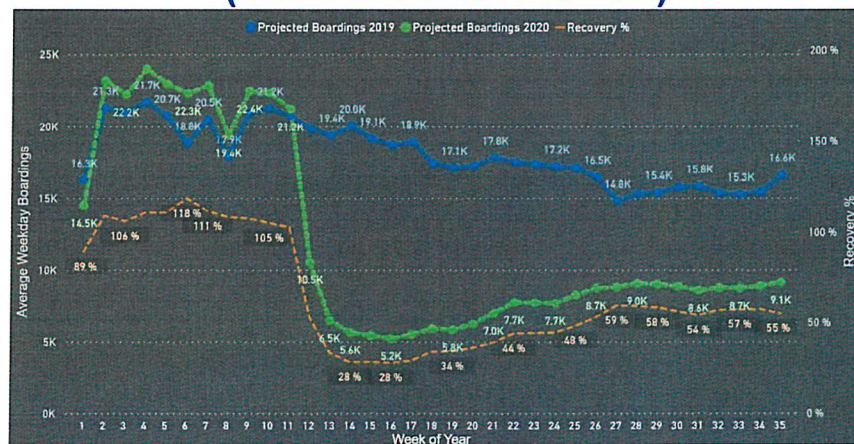
- Support economic recovery
- Address community challenges – climate change, social isolation, access to essential services
- Contribute to vibrant and thriving communities



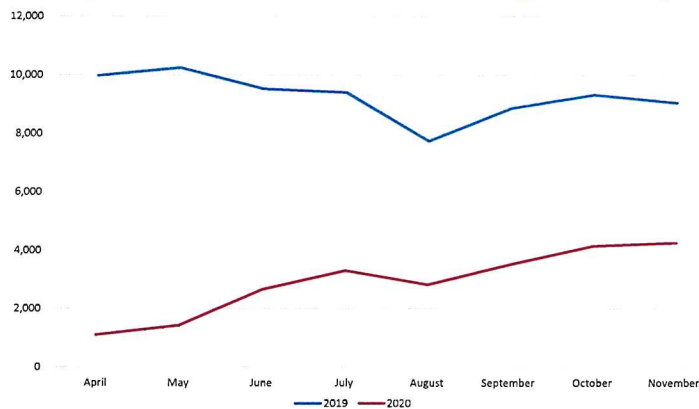
## Impacts of COVID-19: Ridership in BC



## Impacts of COVID-19: Ridership in the Kelowna Regional Transit System (Conventional Transit)



## Impacts of COVID-19: Ridership in the Kelowna Regional Transit System (Custom Transit/handyDART)



Custom Transit is available in the City of West Kelowna, City of Kelowna and District of Lake Country

## West Kelowna Ridership

Rides per service hour 2019 vs 2020

| Route            | Fall 2020 Rides per Hour | Fall 2019 Rides per Hour |
|------------------|--------------------------|--------------------------|
| 20 Lakeview      | 10.65                    | 28.00                    |
| 21 Glenrosa      | 21.63                    | 22.26                    |
| 24 Shannon Ridge | 9.82                     | 13.99                    |
| 25 East Boundary | 5.92                     | 8.01                     |
| 28 Shannon Lake  | 4.20                     | Not Available            |
| 29 Bear Creek    | 4.66                     | 12.77                    |
| 97 Okanagan      | 33.51                    | 35.66                    |



## Amended Current Financial Budget

- **Amended 2020/21 Annual Operating Agreement included:**

- Revised ridership and revenue projections
- Lease Fee Holiday: 6 months lease fees waived
- Federal/Provincial “Safe Restart ” funding
  - Compensation for lost revenue
  - Compensation for COVID-19 related operational costs



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## Looking Ahead



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## Service Changes

- Guided by 2018 Transit Future Action Plan
- 2021/22 expansion proposed for Kelowna Regional Transit System
- Planning for potential 2022/23-2024/25 expansions
- Maintaining existing service levels and fares
  - » As per Safe Restart Funding conditions



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## Digital On-Demand Transit

- Uses technology to dynamically dispatch a vehicle to a locations dictated by the rider
- As part of Strategic Plan, we are looking at on-demand and flexible delivery models
- RFI posted to find out from vendors and consultants how/why it could benefit BC Transit



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## Electronic Fare Collection System

- Introduce new ways to pay including contactless and contactless via mobile device
- Improve planning and decision making by utilizing additional data sources
- Improve the transit experience
- Multi-phased evaluation of NRFP submissions currently underway



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## Low Carbon Fleet Program

- Approved in November 2018 to support provincial targets for GHG emissions
- Transitioning vehicles to electric propulsion based on fleet replacement plan
- Bridging transition to electric with renewable fuels
- RFP released in November 2020



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## Facility Master Plan Study

- Current facility at capacity
- 25-Year Operations and Maintenance Facilities Master Plan underway
- 1<sup>st</sup> phase: functional planning for future sites
- 2<sup>nd</sup> phase: comprehensive report covering a 25-year timeframe
- New site(s) in service in next 3 to 5 years



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## Questions?



Chelsea Mossey – Senior Manager, Government Relations  
[Chelsea\\_Mossey@bctransit.com](mailto:Chelsea_Mossey@bctransit.com)  
250-880-2520



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## COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 12, 2021

From: Warren Everton, Director of Finance/CFO

Subject: **2020-21 BC Transit Amended Annual Operating Agreement**

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### RECOMMENDATION

**THAT** Council authorize the Mayor and Corporate Officer to execute the 2020-2021 Amended Annual Operating Agreement (AOA) between British Columbia Transit and the City of West Kelowna.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity

Strengthen Our Community

### BACKGROUND

Each year BC Transit provides an Annual Operating Agreement (AOA), which outlines the provisions of the Public Passenger Transportation System. The partners in this agreement are the City of West Kelowna (*the Municipality*), and the British Columbia Transit Authority (*the Authority*). The agreement covers the conventional and community transit systems. Once approved and executed the AOA is deemed incorporated into the 2020 Transit Service Agreement (TSA). The TSA is the principal overarching agreement for providing public transportation to the City of West Kelowna.

### DISCUSSION

Each year the AOA confirms the budgeted service levels, revenue projections and cost structure for the City's transit system. Similar to previous year's agreements the 2020-2021 transit agreement straddles two financial planning years (2020 and 2021), which creates difficulties with matching budgets. The City's budget for transit is typically completed before receiving the AOA documents and is therefore based on estimates. In a typical year the transit budget and AOA would be presented in June or July, but due to COVID-19 the 2020 documents were delayed until BC Transit produced an amended budget in December. Also in a typical year the City's Financial Plan would not be



amended as variances naturally occur due to the timing differences between the transit budget (April to March) and the City Financial Plan (January to December).

The 2020-2021 AOA differs from the previous year's agreement in two sections. In Section 8: Local Contributions and Reserve, the Lease Fees subsection states that Lease fees for 2020-2021 would be waived for the period July 1<sup>st</sup> to December 31<sup>st</sup>, 2020 which is reflected in the budget schedules attached to the agreement. In Section 9: Safe Restart Contribution, it is outlined how the one-time grant would be applied to the transit budget going forward with any excess payments to date by the municipality allocated to the Local Transit Reserve. Details of the expected budget impact appear below. Key requirements of this funding involve the signing of the agreement by January 31, 2021 and the Municipality working with the Authority to maintain planned service levels as well as limiting annual fare increases to 2.3% to the end of 2024.

## FINANCIAL IMPLICATIONS

The 2020-2021 Amended AOA budget of \$1,167,133 reflects a \$546,966 decrease compared to the 2019-2020 budget. This does not reflect a drop in costs but rather reflects an increase in offsets including transit reserve fund usage (shared with the Province) of \$289,305 and the Safe Restart Contribution of \$351,398. Taking into account the cost sharing relationship with the Province, overall costs increased by \$191,143, before the grant and reserve funding are applied. For comparison purposes, the City's budget for transit in 2020 was \$1,804,552 including an offset of \$705,000 for revenue, which is outside the AOA agreement.

| City of West Kelowna                 |                  |                  |                 |                  |
|--------------------------------------|------------------|------------------|-----------------|------------------|
| Transit Services Operating Agreement |                  |                  |                 |                  |
|                                      | 2020-2021        | 2019-2020        | YOY Variance    | 2020 CWK Budget  |
| Direct Operating                     | 2,450,822        | 2,328,666        | 122,156         | 1,998,622        |
| Fixed Operating Costs                | 393,463          | 324,476          | 68,987          | 510,930          |
| Less Transit reserve fund usage      | -289,305         | -52,758          | -236,547        |                  |
| Total Operating Costs                | 2,554,980        | 2,600,384        | -45,404         | 2,509,552        |
| Provincial Share                     | -1,192,920       | -1,196,812       | 3,892           |                  |
| Safe Restart Transit Funding         | -351,398         | 0                | -351,398        |                  |
| Lease Fees less admin costs          | 156,471          | 310,527          | -154,056        |                  |
| Fare Revenue Budgeted                |                  |                  |                 | -705,000         |
| CWK Share                            | <b>1,167,133</b> | <b>1,714,099</b> | <b>-546,966</b> | <b>1,804,552</b> |

### Alternate Motion:

**THAT** Council authorize the Mayor and Corporate Officer to execute the 2020-2021 Amended Annual Operating Agreement (AOA) with additional amendments between British Columbia Transit and the City of West Kelowna.

**REVIEWED BY**

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

PowerPoint: Yes ☐ No ☒

**Attachments:**

BC Transit and City of West Kelowna Annual Operating Agreement April 1, 2020

**Kelowna Regional**

**ANNUAL OPERATING AGREEMENT**

**between**

**City of West Kelowna**

**and**

**British Columbia Transit**

**Effective**

**April 1, 2020**

INFORMATION CONTAINED IN THIS AGREEMENT IS SUBJECT TO *THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT*. CONSULT WITH THE AUTHORITY PRIOR TO RELEASING INFORMATION TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.

## ANNUAL OPERATING AGREEMENT

BETWEEN:

**City of West Kelowna**

(the "Municipality")

AND:

**British Columbia Transit**

(the "Authority")

WHEREAS the Authority is authorized to contract for transit services for the purpose of providing and maintaining those services and facilities necessary for the establishment, maintenance and operation of a public passenger transportation system in the Transit Service Area;

WHEREAS the Municipality is authorized to enter into one or more agreements with the Authority for transit services in the Transit Service Area;

WHEREAS the parties hereto have entered into a Transit Service Agreement which sets out the general rights and responsibilities of the parties hereto;

WHEREAS the Municipality and the Authority are authorized to share in the costs for the provision of a Public Passenger Transportation System pursuant to the *British Columbia Transit Act*;

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Transit Service Agreement, the specific terms and conditions for the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter contained, the parties covenant and agree with each other as follows:

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## SECTION 1: DEFINITIONS

Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Transit Service Agreement shall apply to this Annual Operating Agreement including:

- a) “Annual Operating Agreement” shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendments negotiated and entered into by the parties subsequent hereto;
- b) “Transit Service Agreement” shall mean the Transit Service Agreement between the parties to this Annual Operating Agreement, including any amendments made thereto;

## SECTION 2: INCORPORATION OF SCHEDULES

All schedules to this agreement are incorporated into the agreement, and form part of the agreement.

## SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT

Upon execution, this Annual Operating Agreement shall be deemed integrated into the Transit Service Agreement and thereafter the Transit Service Agreement and Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the *British Columbia Transit Act*, as amended from time to time.

## SECTION 4: TERM AND RENEWAL

- a) The parties agree that the effective date of this agreement is to be April 1, 2020, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Transit Service Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.
- b) Upon commencement in accordance with Section 4(a) of this agreement, the term of this agreement shall be to March 31, 2021 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Transit Service Agreement shall likewise be so terminated or not renewed, as the case may be.
- c) Either party may terminate this agreement as follows:
  - a. Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.
  - b. Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.

## SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

This Agreement and the parties hereto are subject to the provisions of the *Freedom Of Information And Protection Of Privacy Act* (“FOIPPA”). Any information developed in the performance of this Agreement, or any personal information obtained, collected, stored pursuant

to this Agreement, including database information, shall be deemed confidential and subject to the provisions of the FOIPPA including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of the FOIPPA.

## SECTION 6: SETTLEMENT OF DISPUTES

In the event of any dispute arising between or among the parties as to their respective rights and obligations under this Agreement, or in the event of a breach of this Agreement, the parties agree to use their best efforts to find resolution through a mediated settlement. However, in the event that mediation is not successful in finding a resolution satisfactory to all parties involved, any party shall be entitled to give to the other notice of such dispute and to request arbitration thereof; and the parties may, with respect to the particular matter then in dispute, agree to submit the same to a single arbitrator in accordance with the applicable statutes of the Province of British Columbia.

## SECTION 7: MISCELLANEOUS PROVISIONS

- a) Amendment: This agreement may only be amended in writing signed by the Municipality and the Authority and specifying the effective date of the amendment.
- b) Assignment: This Agreement shall not be assignable without prior written consent of the parties.
- c) Enurement: This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- d) The parties agree that this agreement is in substantial compliance with all relevant legislative requirements to establish the rights and obligations of the parties as set out in the *British Columbia Transit Act*.

## SECTION 8: LOCAL CONTRIBUTIONS AND RESERVES

British Columbia Transit service is provided using a cost sharing model. Where any transit related contributions are received and/or third party revenues are earned that are in excess of expenses, the Authority is required to hold these excess funds in a reserve account for use against transit related expenditures in future years. When unanticipated expenditures occur that were not included in the budget and cannot be covered by reserves, the Authority will seek to recover these based on the cost sharing ratios between the Municipality and the Authority.

### Eligible Operating Expenses

The Authority will invoice the Municipality and collect on monthly Municipal invoices based on budgeted Eligible Operating Expenses to provide Transit Service. Eligible Operating Expenses are comprised of the following costs of providing Public Passenger Transportation Systems:

- a. *For Conventional Transit Service:*
  - i. the operating costs incurred in providing Conventional Transit Service excluding interest and amortization;
  - ii. the amount of any operating lease costs incurred by BC Transit for Conventional Transit Services;
  - iii. the amount of the municipal administration charge not exceeding 2 percent of the direct operating costs payable under an Annual Operating Agreement;
  - iv. an amount of the annual operating costs of the Authority not exceeding 8 percent of the direct operating costs payable under an Annual Operating Agreement;
- b. *For Custom Transit Service:*

- i. the operating costs incurred in providing Custom Transit Service excluding interest and amortization, but including the amount paid by the Authority to redeem taxi saver coupons issued under the Taxi Saver Program net of the amount realized from the sale of those coupons;
  - ii. the amount of any operating lease costs incurred by the Authority for Custom Transit Service;
  - iii. the amount of the municipal administration charge not exceeding 2 percent of the direct operating costs payable under an Annual Operating Agreement; and,
  - iv. an amount of the annual operating costs of the Authority not exceeding 8 percent of the direct operating costs payable under an Annual Operating Agreement;
- c. Eligible Operating Expenses exclude the costs of providing third-party 100 percent-funded services.

### **Lease Fees**

The Authority will invoice the Municipality and collect on monthly Municipal invoices for Lease Fees on assets owned by the Authority that are used in the provision of transit service. Lease Fees are comprised of the following:

- a. The Municipality's fee for use of the asset, including for the costs of acquisition, construction, development and betterment of the asset and the costs of installing the asset at the location and condition necessary for its intended use;
- b. Debt financing and risk related charges or costs payable on assets;
- c. Risk protection against vehicle write-offs, fleet defects, price volatility, preventative maintenance and major repair of assets;
- d. Amounts sufficient for the Authority to recover all other costs relating to the asset, including, but not limited to taxes and administrative charges.

Where Lease Fees are received that exceed actual asset-related expenses in any given period, these will be placed in a pooled reserve. This reserve will be used to offset against future capital related expenses, Lease Fees, vehicle write-offs, fleet defects, price volatility, preventative maintenance and major repair of assets.

For the 2020/21 fiscal year only, Lease Fees on revenue vehicles will be waived from July 1, 2020 to December 31, 2020. This is incorporated in the Net Local Government Share of Costs shown in Schedule C.

### **Reserve Funds**

The Authority will establish Reserve Funds for each transit system to record the contributions that have been received but not yet earned as follows:

- a. **Operating Reserve Fund:** Contributions by the Municipality towards Eligible Operating Expenses that have been matched with a Provincial share Contribution but have not been used to fund incurred Eligible Operating Expenses.
  - i. Any expenditure of monies from the Operating Reserve Fund will only be credited towards shareable Eligible Operating Expenses for the transit system for which it was collected.
  - ii. The Operating Reserve Fund excludes amounts collected from the Municipality on Lease Fees and will not be used toward Lease Fees.
  - iii. The Authority will provide a quarterly statement of account of the reserve balance including contributions, amounts utilized and any interest earned for the Operating Reserve.



- b. **Local Transit Fund:** Contributions by the Municipality towards Eligible Operating Expenses that have been received but not matched with a Provincial share contribution will be deferred in the Local Transit Fund.
  - i. Any expenditure of monies from the Local Transit Fund will:
    - 1. only be credited towards the Municipality's share of expenses for the transit system for which it was collected.
    - 2. be applied to reduce Municipal invoices at the discretion of the Municipality as agreed to under the Annual Operating Agreement or amendments as required.
  - ii. The Local Transit Fund may be used towards Lease Fees.
  - iii. The Authority will provide a quarterly statement of account of the reserve balance including contributions, amounts utilized and interest earned for the Local Transit Fund.

## SECTION 9: SAFE RESTART CONTRIBUTION

Under the Safe Restart program, the federal and provincial governments have provided a joint one-time contribution to transit systems in BC (the "Safe Restart Contribution").

Subject to execution of this Annual Operating Agreement by January 31, 2021 the Authority will apply the Safe Restart Contribution as follows:

- a. As a one-time allocation towards the Municipality's share of Eligible Operating Expenses;
- b. After applying the allocation of Safe Restart Contribution, any excess contributions received from the Municipality will be deferred to the Local Transit Fund;
- c. The Authority will apply the remaining Local Transit Fund balance to reduce future Municipal invoices at the discretion of Local Government Partners as agreed to under an Annual Operating Agreement or amendments as required.

It is expected that by receiving the Safe Restart contribution the Municipality will work with the Authority to maintain targeted essential transit service levels by not reducing transit service below existing planned service levels and maintain affordability by limiting annual fare increases to 2.3% through March 31, 2024.

## SECTION 10: GOVERNING LAW

This agreement is governed by, and shall be construed in accordance with, the laws of the Province of British Columbia, with respect to those matters within provincial jurisdiction, and in accordance with the laws of Canada with respect to those matters within the jurisdiction of the Government of Canada.

## SECTION 11: COUNTERPARTS

This contract and any amendment hereto may be executed in counterparts, each of which shall be deemed to be an original and all of which shall be considered to be one and the same contract. A signed facsimile or pdf copy of this contract, or any amendment, shall be effective and valid proof of execution and delivery.

## SECTION 12: NOTICES AND COMMUNICATIONS

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a designated officer of the parties

hereto to whom it is addressed where an electronic signed document is emailed to the parties or if mailed by prepaid registered mail to the Authority at:

**British Columbia Transit**

c/o Executive Assistant, Business Development

P.O. Box 9861

520 Gorge Road East

Victoria, British Columbia V8W 9T5

and to the Municipality at:

**City of West Kelowna**

c/o Chief Financial Officer

2760 Cameron Rd.

West Kelowna, B.C. V1Z 2T6

and, if so mailed, shall be deemed to have been received five (5) days following the date of such mailing.

IN WITNESS WHEREOF, the parties have hereunto set their hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**City of West Kelowna**

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**British Columbia Transit**

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Vice President, Business Development

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Vice President, Finance and Chief Financial Officer

## SCHEDULE "A": TARIFF AND FARES

### APPENDIX 1: TARIFF NOTES

#### Conventional Transit Fares:

|  | <i>Effective as of<br/>Sept. 1, 2015</i> |
|--|--|
| a) Single Cash Fares:  |  |
| i) Adult/College Student   | \$2.50                                   |
| ii) Senior   | \$2.50                                   |
| iii) Student   | \$2.50                                   |
| iv) Child 4 or under - Free when accompanied by an adult.  |  |
| v) Accessible Transit Attendant - Free   |  |
| b) Tickets (sheet of 10):  |  |
| i) Adult/College Student   | \$22.25                                  |
| ii) Senior/Student*  | \$20.25                                  |
| c) One Day Pass:   |  |
| i) Adult/College Student   | \$ 6.50                                  |
| ii) Senior   | \$ 6.50                                  |
| iii) Student   | \$ 6.50                                  |
| d) Monthly Pass:   |  |
| i) Adult   | \$70.00                                  |
| ii) Senior*  | \$45.00                                  |
| iii) Student*  | \$45.00                                  |
| iv) College Student**  | \$55.00                                  |
| v) College Semester Pass**   | \$176.00                                 |
| e) U-Pass per semester   | \$63.00                                  |
| f) Transfers: allow for unlimited travel for up to 90 minutes from the time of issue.  |  |
| g) BC Bus Pass valid for the current calendar year and available through the Government of British Columbia BC Bus Pass Program. |  |
| h) CNIB Identification Card available from the local office of the CNIB.   |  |
| i) BC Transit Employee Bus Pass.   |  |
| * Reduced fare with valid ID for seniors aged 65 and over, and students in full-time attendance to grade 12.                     |  |
| ** Reduced fare for full-time registered college students available only at Okanagan College and Sprott-Shaw Community College.  |  |

## SCHEDULE "B": SERVICE SPECIFICATIONS

### **Kelowna Conventional Transit Service:**

The Local Transit Service Area for Kelowna Conventional transit service shall be: shall be the municipal boundaries of the Corporation of the City of Kelowna in effect September 25, 1980, the corporate boundaries of the City of West Kelowna, the District of Peachland of the Regional District of Central Okanagan, the corporate boundaries of the District of Lake Country, and Central Okanagan West Electoral Area IR# 9 and IR# 10 and a portion Central Okanagan East Electoral Area (Ellison) only.

The Annual Service Level for the City of West Kelowna's share of the Kelowna Conventional transit service shall be **15,500** Revenue Service Hours.

The Exception Days recognized annually for the Kelowna Conventional transit service are:

| <b>Exception Days</b> | <b>Service Level</b> |
|-----------------------|----------------------|
| Good Friday           | Sunday               |
| Easter Monday         | Monday               |
| Victoria Day          | Sunday               |
| Canada Day            | Saturday             |
| BC Day                | Sunday               |
| Labour Day            | Sunday               |
| Thanksgiving Day      | Sunday               |
| Remembrance Day       | Sunday               |
| Christmas Day         | Sunday               |
| Boxing Day            | Saturday             |
| New Year's Day        | Sunday               |
| Family Day            | Sunday               |

**Kelowna Community Transit Service:**

The Local Transit Service Area for Kelowna Community transit service shall be: shall be the municipal boundaries of the Corporation of the City of Kelowna in effect September 25, 1980, the corporate boundaries of the City of West Kelowna, the District of Peachland of the Regional District of Central Okanagan, the corporate boundaries of the District of Lake Country, and Central Okanagan West Electoral Area IR# 9 and IR# 10 and a portion Central Okanagan East Electoral Area (Ellison) only.

The Annual Service Level for the City of West Kelowna's share of the Kelowna Community transit service shall be **11,600** Revenue Service Hours.

The Exception Days recognized annually for the Kelowna Community transit service are:

| <b>Exception Days</b> | <b>Service Level</b> |
|-----------------------|----------------------|
| Good Friday           | Sunday               |
| Easter Monday         | Monday               |
| Victoria Day          | Sunday               |
| Canada Day            | Saturday             |
| BC Day                | Sunday               |
| Labour Day            | Sunday               |
| Thanksgiving Day      | Sunday               |
| Remembrance Day       | Sunday               |
| Christmas Day         | Sunday               |
| Boxing Day            | Saturday             |
| New Year's Day        | Sunday               |
| Family Day            | Sunday               |

## SCHEDULE "C": BUDGET

## KELOWNA/CENTRAL OKANAGAN CONVENTIONAL

|  | OFFICIAL AOA<br>2020/ 21 | CITY OF<br>KELOWNA | CITY OF<br>WEST<br>KELOWNA | WESTBANK<br>FIRST<br>NATION | DISTRICT<br>OF LAKE<br>COUNTRY | CORD /<br>ELLISON |
|--|--------------------------|--------------------|----------------------------|-----------------------------|--------------------------------|-------------------|
| TOTAL REVENUE  | \$4,381,644              | \$4,381,644        | \$0                        | \$0                         | \$0                            | \$0               |
| TOTAL OPERATING COSTS                                  | \$19,299,683             | \$15,913,499       | \$1,861,366                | \$363,055                   | \$1,122,710                    | \$39,054          |
| TOTAL COSTS (including Local Government Share of Lease | \$20,843,470             | \$17,183,993       | \$2,010,575                | \$391,989                   | \$1,214,660                    | \$42,252          |
| NET LOCAL GOVERNMENT SHARE OF COSTS                    | \$2,355,485              | \$1,179,028        | \$649,032                  | \$126,980                   | \$386,983                      | \$13,461          |
| SAFE RESTART ALLOCATION                                | \$6,950,376              | \$5,719,970        | \$671,766                  | \$130,267                   | \$413,973                      | \$14,400          |

## KELOWNA COMMUNITY BUS CONVENTIONAL

|  | OFFICIAL AOA<br>2020/ 21 | CITY OF<br>KELOWNA | CITY OF<br>WEST<br>KELOWNA | WESTBANK<br>FIRST<br>NATION | DISTRICT OF<br>PEACHLAND | DISTRICT OF<br>LAKE<br>COUNTRY |
|--|--------------------------|--------------------|----------------------------|-----------------------------|--------------------------|--------------------------------|
| TOTAL OPERATING COSTS  | \$2,850,847              | \$1,123,646        | \$982,919                  | \$449,055                   | \$130,083                | \$165,143                      |
| TOTAL COSTS (including Local Government Share of Lease Fees) | \$2,989,152              | \$1,178,159        | \$1,030,604                | \$470,841                   | \$136,393                | \$173,155                      |
| NET LOCAL GOVERNMENT SHARE OF COSTS                          | \$1,502,692              | \$592,278          | \$518,101                  | \$236,699                   | \$68,567                 | \$87,048                       |
| SAFE RESTART ALLOCATION                                      | \$90,000                 | \$35,473           | \$31,030                   | \$14,176                    | \$4,107                  | \$5,214                        |



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 12, 2021

From: Jayden Riley, Planner II

File No: A 20-02

Subject: **A 20-02; Homesite Severance; 3536 Paynter Road**

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### RECOMMENDATION

**THAT** Council authorize the homesite severance application to proceed to the ALC for consideration on the condition that the homesite is reduced to the approximate area identified in *Attachment 4*, but to no less than 2,500 m<sup>2</sup> and exclusive of future road dedication.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (2020-2022 Strategic Priorities of Council)

### BACKGROUND

This application is seeking a subdivision under the Agricultural Land Commission (ALC) Homesite Severance Policy of approximately 0.4 ha from a 2.6 ha parcel located within the Agricultural Land Reserve (ALR). The intent of the proposed homesite severance is to allow the owner to remain living in the household with the proceeds from the sale of the remainder property. Staff are recommending a reduction of the proposed homesite area to no less than 2,500 m<sup>2</sup> (Figure 2, Attachment 4), excluding future road dedication, based on the ALC guidelines for homesite severance applications as well as comments from the Ministry of Agriculture.

| PROPERTY DETAILS      |                   |                        |                                 |
|-----------------------|-------------------|------------------------|---------------------------------|
| <b>Address</b>        | 3536 Paynter Road |                        |                                 |
| <b>PID</b>            | 004-290-020       |                        |                                 |
| <b>Folio</b>          | 36413366.000      |                        |                                 |
| <b>Lot Size</b>       | 26,227 sq. m.     |                        |                                 |
| <b>Owner</b>          | Florence Taneda   | <b>Agent</b>           | Nicole Kelly and Matthew Taneda |
| <b>Current Zoning</b> | Agricultural (A1) | <b>Proposed Zoning</b> | N/A                             |



|                                  |             |                     |                           |
|----------------------------------|-------------|---------------------|---------------------------|
| <b>Current OCP</b>               | Agriculture | <b>Proposed OCP</b> | N/A                       |
| <b>Current Use</b>               | Residential | <b>Proposed Use</b> | Residential / Agriculture |
| <b>Development Permit Areas</b>  | Hillside    |                     |                           |
| <b>Hazards</b>                   | None        |                     |                           |
| <b>Agricultural Land Reserve</b> | Yes         |                     |                           |

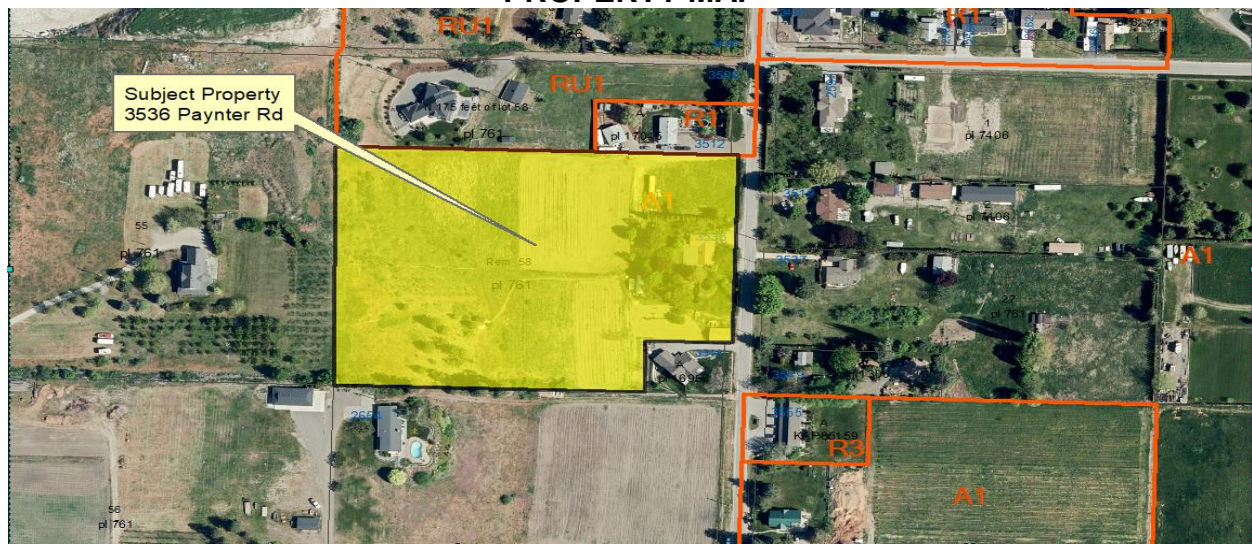
#### ADJACENT ZONING & LAND USES

|              |   |  |
|--------------|---|--|
| <b>North</b> | ^ | Single Detached Residential (R1) / Country Residential (RU1) |
| <b>East</b>  | > | Agriculture (A1/ALR)   |
| <b>West</b>  | < | Agriculture (A1/ALR)   |
| <b>South</b> | v | Agriculture (A1/ALR)   |

#### NEIGHBOURHOOD MAP



#### PROPERTY MAP



### *Proposal*

This application is proposing to subdivide a 4,000 sq. m. homesite from the subject property (*Figure 1, Attachments 1 & 2*). The proposal requires a subdivision application to the ALC due to the parcel being located within the ALR. In order for the application to proceed to the ALC for consideration it must first be authorized by Council.

### *Applicant Rationale*

The applicant currently lives within the single detached dwelling located on the subject property. Their rationale for subdivision is to be able to continue living in the home with the proceeds from the sale of the remainder lot – see applicant's letter of rationale (*Attachment 3*).

### Legislative Requirements

#### *Agricultural Land Commission Act*

A homesite severance requires a subdivision application under S. 25 of the *Agricultural Land Commission Act*. The following ALC guidelines apply to home site severance applications (*Attachment 5*):

1. A once only severance may be permitted on the condition that evidence is provided stating the applicant has owned and occupied the property as their principal residence since December 21, 1972;
2. A homesite severance application has not previously been submitted for the subject property;
3. The applicant shows evidence of a legitimate intention to sell the remainder of the property upon subdivision;
4. The existing homesite may be created as a separate parcel where it is of a minimum size compatible with the character of the property;
5. The remainder parcel must be a suitable size and configuration that will constitute an agricultural parcel;
6. The homesite is not to be sold for five (5) years except in the case of death of the owner; and
7. Where a homesite severance has been approved by the commission, local governments and Approving Officers are encouraged to handle the application under S.514 of the *Local Government Act* insofar as compliance with local bylaws is concerned.

#### *Local Government Act*

S.514 of the *Local Government Act* allows the Approving Officer to approve the subdivision of land that would otherwise be prevented from subdivision by a bylaw that establishes minimum parcel size on the condition that:

1. The person making the application has owned the parcel for at least 5 years;
2. The application is made for the purposes of providing a separate residence for the owner; and

3. The proposed subdivision is not a subdivision that an Approving Officer is prevented from approving, which would be the case under the following circumstances:
- a) The parcel is classified a farm land for assessment and taxation purposes and after the creation of the parcel subdivided for the purpose of providing a residence results in the remainder parcel to be less than 2 ha;
  - b) The parcel is not within the ALR and was created by subdivision under S. 514 of the LGA; or
  - c) The parcel is within the ALR and was subdivided within the previous five (5) years under S. 514 of the LGA.

The LGA permits the local government to establish the minimum size for a parcel that may be subdivided under S.514; however, S.514(6) states that any parcel created by subdivision must be at least 1 ha unless a smaller area, in no case less than 2,500 m<sup>2</sup>, is approved by the medical health officer<sup>1</sup>.

S.512 of the LGA also requires that a parcel being created by subdivision that fronts a highway must have a minimum frontage that is the greater of:

- a. 10% of the perimeter of the lot that fronts the highway; and
- b. The minimum frontage that the local government may, by bylaw, provide.

The applicant's proposed homesite (*Figure 1*) would not meet minimum frontage requirements with 34 m of frontage – a minimum of 69 m would be required under the A1 Zone and S. 512 of the LGA. Staff's recommended homesite (*Figure 2*) would also not meet the minimum frontage requirements. Therefore, in either case, an exemption by the local government will be required.

## DISCUSSION

The ability to subdivide ALR land exists through the ALC's Homesite Severance Policy (*Attachment 5*) and S.514 of the LGA. The proposal to subdivide lands at 3536 Paynter Road generally meets the guidelines outlined in the ALC Policy, with the exception of the following<sup>2</sup>:

- The existing homesite may be created as a separate parcel where it is of a minimum size compatible with the character of the property; and
- The remainder of the subject property after the severance of the homesite must be of a size and configuration that will, in the Commission's opinion, constitute a suitable agricultural parcel.

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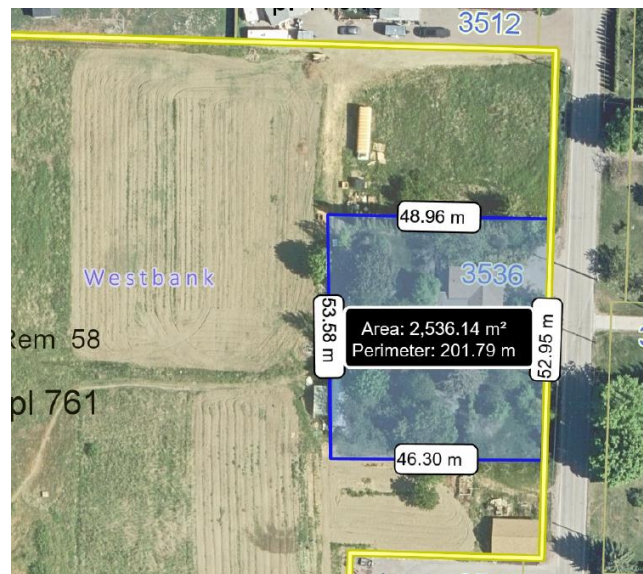
<sup>1</sup> Approval from Interior Health will be a condition of future subdivision for parcels less than 1 ha.

<sup>2</sup> Note the landscaping containing the homesite. The layout in *Figure 2* better aligns with the character of the property and allows the remainder parcel to accommodate a south access as opposed to limiting both the future access and dwelling to the north-east corner.





**Figure 1:** Applicant homesite proposal (approx. 4,000 m<sup>2</sup>)



**Figure 2:** Staff recommended homesite (min. 2,500 m<sup>2</sup> exclusive of road dedication)

## Policy and Bylaw Review

### *Official Community Plan*

The subject property has a land use designation of Agricultural. This land use designation is intended to support the community's agricultural heritage and foster a local food system for greater self-sufficiency, economic development and local food security. Agricultural policies set out in the Official Community Plan include discouraging the proliferation of non-farm residential development or use, except as provided for by the Homesite Severance Policy within the ALR.

### *Zoning Bylaw No. 0154*

The subject property is zoned Agricultural (A1). Subdivision under a homesite severance does not require rezoning based on S.514 of the *Local Government Act*, although subdivision would be creating two (2) parcels that are under the minimum 4 ha parcel area of the A1 Zone.

## Technical Review

### *Roads and Servicing*

Road dedication for Paynter Road will be required at time of subdivision to meet the Rural Minor Collector road standard. This road standard is 9 m wide from the centre line of the road, whereas the existing width is approximately 7 m. This will result in the dedication of a 220 m<sup>2</sup> area with a depth 2 m running parallel from the current front parcel boundary. Road dedication is anticipated to affect the existing accessory building located at the south east portion of the parcel at the zero lot line. Frontage improvement will also be required at time of subdivision.

Advisory comments have been provided to the applicant as it relates to existing and anticipated water, sanitary sewer, storm sewer, and access improvements; however, a full review will occur at time of subdivision or building permit, subject to Council authorization and ALC approval of the homesite severance application.

## Referrals

### *Ministry of Agriculture (MOA)*

The MOA determined there was no clear benefit to agriculture that would result from the proposal. Also noted was that the homesite lot was quite large and such a configuration would provide little area to accommodate a dwelling on the remainder parcel and still have access. Concerns were raised about the potential for a dwelling to be located in the middle of the lot, which would mean converting a portion of the previously productive area to residential use. The MOA's recommendations included limiting, by covenant, a buildable area of the site near the north east corner of the lot, at the front parcel boundary, to preserve potential productive area.

### *Agricultural Advisory Committee (AAC)*

The AAC supported the application and requested that the placement of a covenant be more thoughtfully considered based on the property's farmable land.

## CONCLUSION

In the absence of corresponding agricultural policy, staff have not recommended a covenant to limit the remainder parcel for a future homesite ('home-plating')<sup>3</sup>. Staff are however in support of the application on the condition the homesite is reduced to the area identified in *Figure 2* and *Attachment 4* for the following reasons:

- The City's Agricultural Plan and Official Community Plan include policy to preserve agricultural land;
- A reduced area addresses the MOA's concerns to ensure sufficient area for a future dwelling and access to the remainder parcel without disturbing excessive productive area;
- ALC Policy states that the homesite must be of a minimum size compatible with the character of the property; and
- Retaining additional productive land aligns with the ALC guidelines for the configuration of the remainder parcel to constitute a suitable agricultural parcel.

An alternate motion (1) has also been provided based on the applicant's proposed homesite area of 4,000 m<sup>2</sup>.

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<sup>3</sup> Included as an alternate motion.

**Alternate Motions:**

*Authorize the application to proceed to the ALC for consideration as proposed by the applicant*

1. THAT Council authorize the homesite severance application to proceed to the ALC for consideration as proposed by the applicant.

*Authorize the application to proceed to the ALC on the condition that the homesite area is reduced, and a covenant is registered at time of subdivision to limit future homesite.*

2. *THAT Council* authorize the homesite severance application to proceed to the ALC for consideration on the condition that:
  - the proposed homesite is reduced to the approximate area identified *Attachment 4*, but no less than 2,500 m<sup>2</sup> and exclusive of future road dedication; and
  - a covenant is registered on the parent parcel to limit construction of a future dwelling to the north east portion of the property

*Deny the application*

3. THAT Council deny the homesite severance application.

**REVIEWED BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

**Attachments:**

1. ALC Application
2. Applicant's Proposed Homesite Layout
3. Applicant's Letter of Rationale
4. Staff's Recommended Homesite Layout
5. ALC Homesite Severance Policy

# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 61295

**Application Status:** Under LG Review

**Applicant:** Florence Taneda

**Agent:** Nicole Kelly

**Local Government:** City of West Kelowna

**Local Government Date of Receipt:** 08/25/2020

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Subdivision

**Proposal:** The proposed home site severance of approximately 1 acre will retain the family home, leaving over 5 acres of farmable land to be sold.

## Agent Information

**Agent:** Nicole Kelly

**Mailing Address:**

104 - 1860 Boucherie Rd

Westbank, BC

V4T 2A3

Canada

**Primary Phone:** (250) 215-0064

**Email:** n.b.kelly@hotmail.com

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 004-290-020

**Legal Description:** L 58 DL 806 OSOYOOS DIVISION YALE DISTRICT PL 761 EXC (1) THE NORTH 175 FT NOW (2) PL 16956

**Parcel Area:** 2.6 ha

**Civic Address:** 3536 Paynter Rd

**Date of Purchase:** 05/26/2020

**Farm Classification:** Yes

**Owners**

1. **Name:** Florence Taneda

**Address:**

3536 Paynter Rd

West Kelowna, BC

V4T 1R2

Canada

**Phone:** (250) 768-5577

## Ownership or Interest in Other Lands Within This Community

- 1. Ownership Type:** Fee Simple  
**Parcel Identifier:** 004-289-935  
**Owner with Parcel Interest:** Florence Taneda  
**Parcel Area:** 4 ha  
**Land Use Type:** Unused  
**Interest Type:** Full Ownership
- 

## Current Use of Parcels Under Application

- 1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**  
*Vegetable garden for personal consumption, otherwise no agriculture*
- 2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**  
*Irrigation lines exist on the property*
- 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**  
*There is a home with a landscaped back yard*

## Adjacent Land Uses

### North

**Land Use Type:** Residential  
**Specify Activity:** Residential properties with homes

### East

**Land Use Type:** Residential  
**Specify Activity:** Residential properties with homes

### South

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Agricultural with a residence

### West

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Agricultural with a residence

## Proposal

- 1. Enter the total number of lots proposed for your property.**  
0.4 ha  
2.2 ha
- 2. What is the purpose of the proposal?**  
*The proposed home site severance of approximately 1 acre will retain the family home, leaving over 5 acres of farmable land to be sold.*



**3. Why do you believe this parcel is suitable for subdivision?**

*The proposed home site parcel encompasses the existing landscaping and alignment of the property, and is compatible with the character of the neighbouring property at the south east corner. The remaining parcel is conducive to farming, and the configuration of the lot allows for a residential footprint along Paynter Rd with a large 5+ acre area behind for farming/agriculture.*

**4. Does the proposal support agriculture in the short or long term? Please explain.**

*The proposal leaves over 5 acres of farmable land for long term agricultural use. In the past it has been fruit orchards as well as vegetables. It is suitable for growing fruit or vegetables again, or for livestock, or hay production.*

**5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.**

*Yes*

**Applicant Attachments**

- Agent Agreement - Nicole Kelly
- Homesite Severance Qualification - 61295
- Site Photo - Home Site Photo
- Other correspondence or file information - Purchase agreement from 1967, first page
- Other correspondence or file information - Titles showing original Taneda family ownership
- Other correspondence or file information - part 2 of original titles
- Proposal Sketch - 61295
- Certificate of Title - 004-290-020

**ALC Attachments**

None.

**Decisions**

None.



Letter of rationale for proposed home site severance at 3536 Paynter Rd.

August 20, 2020

To whom it may concern;

The proposed home site severance of approximately 1 acre will retain the family home, leaving over 5 acres of farmable land to be sold.

The property has been in the Taneda family for many decades, owned by Stan Taneda's parents prior to subdivision and sale to Stan in 1967. Stan and Florence moved into the home after their marriage in 1955, and have lived in the home at 3536 Paynter Rd as their principal residence since. They lived on the property and continually farmed it as fruit orchards until retirement. Stan passed away and Florence is no longer able to maintain the property on her own. We are requesting a home site severance to allow Florence to stay living in the family home with financial security for her future after the sale of the remainder of the property.

The proposed home site parcel encompasses the existing landscaping and alignment of the property, and is compatible with the character of the neighbouring property.









The remaining parcel is conducive to farming, and the configuration of the lot allows for a residential footprint along Paynter Rd with a large 5+ acre area behind for farming/agriculture.



# Homesite Severance - 3536 Paynter Road

## Legend

### Landmarks

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

-  Tax Parcels

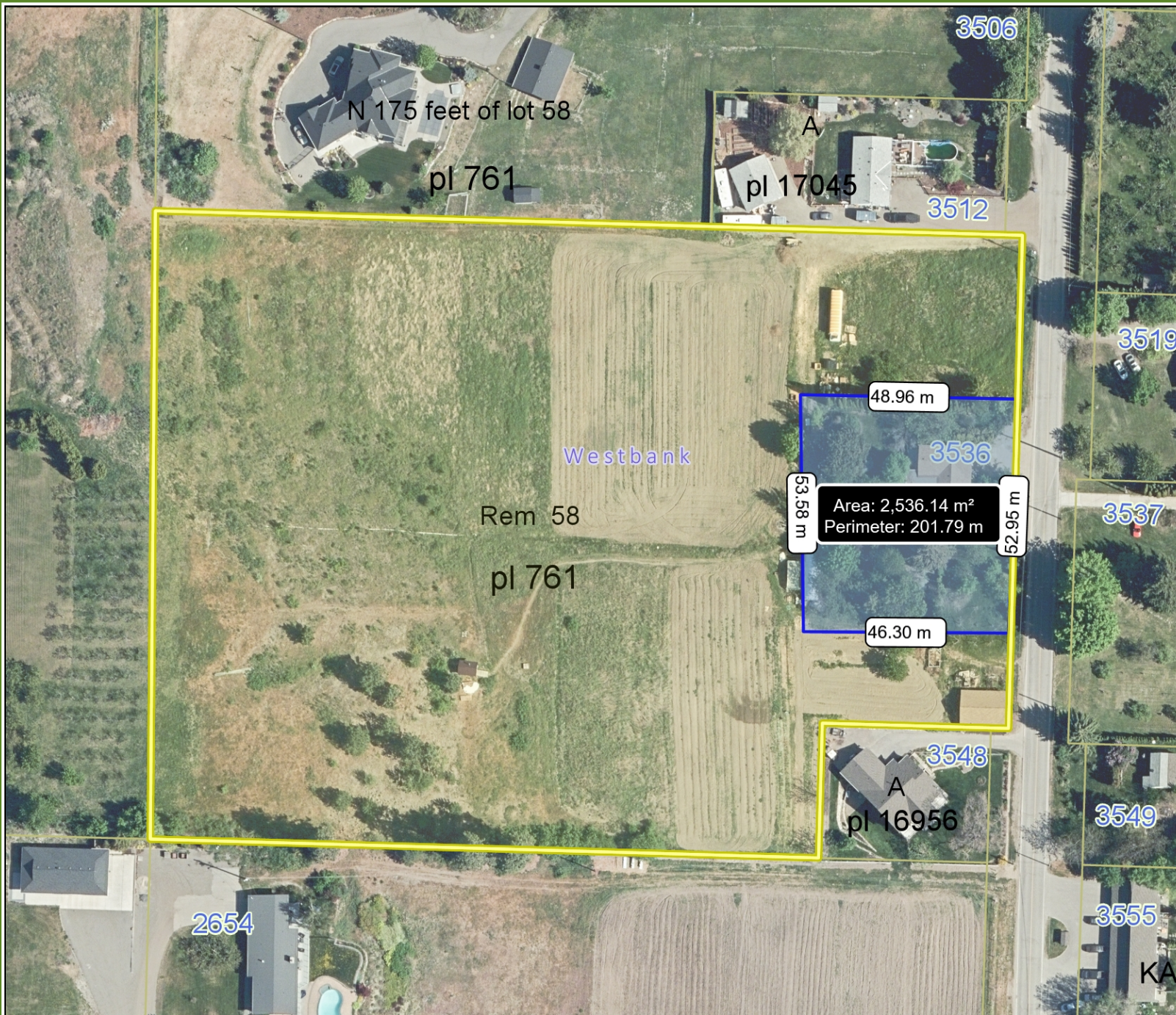
### Basemap Parcel Type

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



Scale 1 : 1,250

## Notes



0 32 64 Meters

Map Projection: NAD\_1983\_UTM\_Zone\_11N

© City of West Kelowna

Map Produced on: 12/15/2020 12:08:07 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.



|  |  |
|--|--|
|  <p><b>Agricultural Land<br/>Commission Act</b></p> | <p style="text-align: right;"><b>Policy L-11</b><br/><b>January 2016</b></p> <p style="text-align: center;"><b>HOMESITE SEVERANCE ON ALR LANDS</b></p> |
|--|--|

*This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act](#), 2002, including amendments as of September 2014, (the “ALCA”) and BC Regulation 171/2002 ([Agricultural Land Reserve Use, Subdivision and Procedure Regulation](#)), including amendments as of August 2016, (the “Regulation”). In case of ambiguity or inconsistency, the ALCA and Regulation will govern.*

The purpose of this policy is to provide a consistent approach to situations where property under application has been the principal residence of the applicant as owner-occupant since December 21, 1972 and the applicant wishes to dispose of the parcel but retain a homesite on the land.

A subdivision application under Section 21 (2) of the ALCA is required.

Persons making use of this homesite severance policy (the “Homesite Severance Policy”) must understand the following:

- a. there is no automatic right to a homesite severance;
- b. the Agricultural Land Commission (the “Commission”) shall be the final arbiter as to whether a particular homesite severance meets good land use criteria; (see #4 below)
- c. a prime concern of the Commission will always be to ensure that the “remainder” will constitute a suitable agricultural parcel. (see #5 below).

Without limiting the generality of the foregoing, the following guidelines apply to homesite severance applications.

1. A once only severance may be permitted where the applicant submits documentary evidence that he or she has continuously owned and occupied the property as his or her principal place of residence since December 21, 1972.
2. Where an applicant for a homesite severance has had a previous subdivision application approved by the Commission resulting in the creation of a separate parcel, the Commission may deny any further subdivision under the Homesite Severance Policy.
3. An application for a homesite severance will be considered only where the applicant submits documentary evidence showing a legitimate intention to sell the remainder of the property upon the approval of the homesite severance application. (An interim agreement for sale, a prospective buyer’s written statement of intent to purchase, a real estate listing, or some other written evidence of a pending real estate transaction may be acceptable as documentation)

In considering the application, the Commission may make an approval subject to sale of the remainder within a specified period of time.

An order of the Commission authorizing the deposit of the subdivision plan will be issued to the Registrar of Land Titles only when a transfer of estate in fee simple or an agreement for sale is being registered concurrently.

4. There will be cases where the Commission considers that good land use criteria rule out any subdivision of the land because subdivision would compromise the agricultural integrity of the area, and the Commission will therefore exercise its discretion to refuse the homesite severance.

The following two options apply to a homesite severance:

- a. the existing homesite may be created as a separate parcel where it is of a minimum size compatible with the character of the property (plus a reasonable area, where required, for legal access purposes); or
  - b. where the location of the existing homesite is such that the creation of a parcel encompassing the homesite would, in the Commission's opinion, create potential difficulty for the agricultural operation or management of the remainder, the Commission may, if it deems appropriate, approve the creation of a homesite severance parcel elsewhere on the subject property.
5. The remainder of the subject property after severance of the homesite must be of a size and configuration that will, in the Commission's opinion, constitute a suitable agricultural parcel. Where, in the Commission's opinion, the remainder is of an unacceptable size or configuration from an agricultural perspective, there may be three options:
  - a. the Commission may deny the homesite severance;
  - b. the Commission may require that the remainder be consolidated with an adjacent parcel; or
  - c. the Commission may require the registration of a covenant against the title of the remainder and such a covenant may prohibit the construction of dwellings.
6. A condition of every homesite severance approved by the Commission shall be an order stipulating that the homesite is not to be sold for five years except in the case of the death of the owner. Prior to the issuance of a Certificate of Order authorizing deposit of the subdivision plan, the owner shall file with the Commission a written undertaking or other legal documentation satisfactory to the Commission setting out this commitment.
7. Where a homesite severance application has been approved by the Commission, local governments and approving officers are encouraged to handle the application in the same manner as an application under Section 514 of the [Local Government Act](#) insofar as compliance with local bylaws is concerned.

Unless defined in this policy, terms used herein will have the meanings given to them in the ALCA or the Regulation.

#### **RELATED POLICY:**

ALC Policy L-17 *Activities Designated Permitted Non-Farm Use in the ALR: Lease for a Retired Farmer – Zone 2*



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 12, 2021

From: Chris Oliver, Planner III

File: DVP 20-17 & LL 20-03

Subject: **DVP 20-17 and LL 20-03; DVP and Lounge Endorsement Liquor License; 2850 Boucherie Road**

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### RECOMMENDATION

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 20-17) at 2850 Boucherie Road to reduce the number of parking spaces from 42 to 33 (variance of 9 spaces) to accommodate a brewery and accessory uses; and

**THAT** Council support the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement application (LL 20-03) for The Hatching Post (2850 Boucherie Road) in accordance with the information contained in this report.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Plan Priorities 2020-2022).

### BACKGROUND

The applicant is seeking a Development Variance Permit and Lounge Endorsement Liquor License in order to permit a brewery with indoor and outdoor lounge areas. The variance of 9 parking spaces has been requested to increase the capacity of the proposed lounge areas from 142 (132 + 10 staff) to 178 (168 patrons + 10 staff) The proposed hours of operation are 10:00 am to 12:00 am, Monday to Sunday.

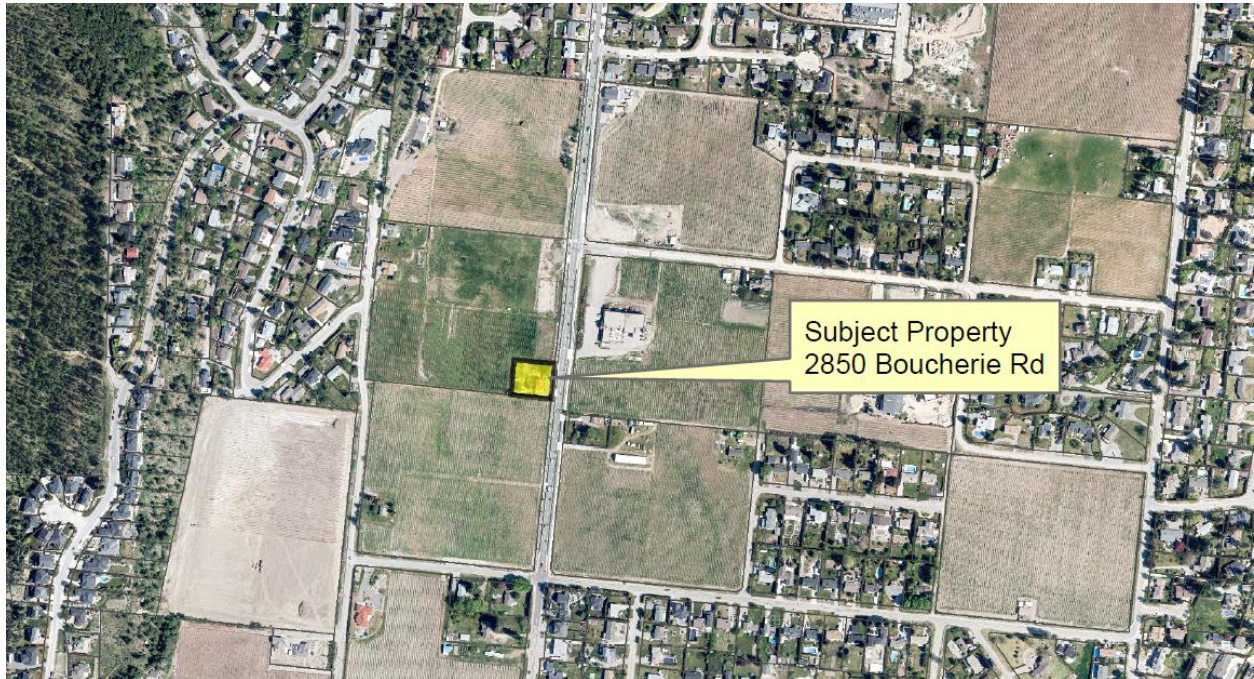
| PROPERTY DETAILS                 |                        |                               |                   |
|----------------------------------|------------------------|-------------------------------|-------------------|
| <b>Address</b>                   |                        | 2850 Boucherie Road           |                   |
| <b>PID</b>                       |                        | 008-104-603                   |                   |
| <b>Folio</b>                     |                        | 36414152.000                  |                   |
| <b>Lot Size</b>                  |                        | 0.56 acres (2266.24 sqm)      |                   |
| <b>Owner</b>                     | 1222198 BC LTD         | <b>Agent</b>                  | Graham Dell       |
| <b>Current Zoning</b>            | Agricultural (A1)      | <b>Proposed Zoning</b>        | Agricultural (A1) |
| <b>Current OCP</b>               | Agricultural           | <b>Proposed OCP</b>           | Agricultural      |
| <b>Current Use</b>               | Single Family Dwelling | <b>Proposed Use</b>           | Brewery           |
| <b>Agricultural Land Reserve</b> |                        | Yes (exempt from regulations) |                   |



## ADJACENT ZONING & LAND USES

North, East, South, West Agricultural (A1)

### NEIGHBOURHOOD MAP



### PROPERTY MAP





## DISCUSSION

The applicant has applied to construct a new brewery on the subject property (Figures 1 and 2). The new building creates a strong presence along the Wine Trail and is not subject to a form and character development permit due to the exemptions in the Official Community Plan. Another key aspect to the proposal is that the proposed outdoor lounge area is internally oriented and generally sheltered from the roadway and adjacent uses.



Figure 1. Rendering Facing SW from Boucherie Road



Figure 2. Rendering Facing SE from Interior of the Site

## Development Variance Permit

In order to maximize the capacity of the building, the applicant is requesting a parking variance of 9 spaces. The applicant has indicated that they believe there will not be any significant impacts from the reduction as they intend to promote and benefit from the property's location on the Westside Wine Trail. The Wine Trail includes significant active transportation infrastructure and it is typical for operators on the wine trail to utilize tour services that require less parking. The applicant has also provided a surplus of 20 bicycle parking spaces to accommodate the anticipated demand from the Wine Trail. In addition to the Wine Trail considerations, the operator also promotes the use of online tasting bookings and scheduling of groups which allow for large groups to be staggered throughout the day.

### *Policy Review*

The Zoning Bylaw includes two specific parking requirements for a brewery:

1. Units less than or equal to 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) GFA tasting area: 2.0 per 100 m<sup>2</sup> GFA.

**OR**

Units greater than 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) GFA tasting area: 4.0 per 100 m<sup>2</sup> GFA.

2. Food and Beverage Service Lounge: 1.0 per 4 seats (including patio seating).

The applicant has proposed to have no designated tasting area (can occur in Lounge Area) and a combined lounge area that can accommodate 168 patrons and 10 staff (Figure 3.). In order to accommodate the proposal, the 1 space per 4 seats applies, requiring a total of 42 spaces. As indicated earlier in this report, to accommodate the requested occupancy, a variance of 9 parking spaces will be required (Table 1). An alternate motion has been included which supports a Lounge Endorsement without a variance. The alternate motion would reduce the outdoor lounge occupancy to 45 (42 patrons plus 3 staff) and the indoor to 97 (90 patrons plus 7 staff - 142 total).

**Table 1.** Variance Request Breakdown

| Scenario    | Patrons | Zoning Bylaw Req. | Required Spaces | Proposed Spaces |
|-------------|---------|-------------------|-----------------|-----------------|
| Variance    | 168     | 1 space/ 4 seats  | 42 spaces       | 33 spaces       |
| No Variance | 132     | 1 space/ 4 seats  | 33 spaces       | 33 spaces       |

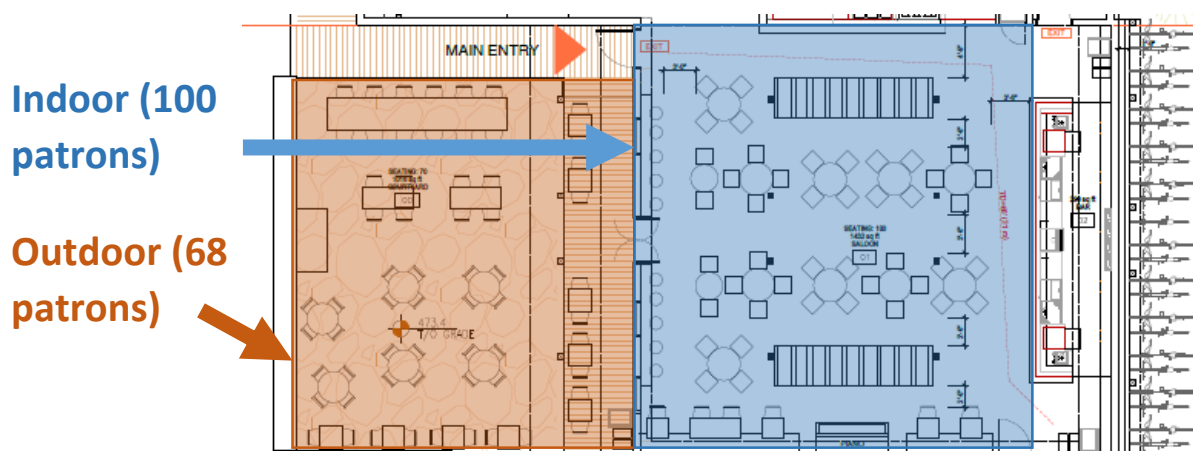


Figure 3. Indoor and Outdoor Lounge Areas

There are no opportunities for on-street parking in the area as Boucherie Road (Wine Trail) does not accommodate public parking. The closest streets that can accommodate parking are Douglas Road and Ogden Road, both are greater than 175m away from the property. In a worst-case scenario, the reduction in parking will likely be most impactful to the operator of this establishment, or potentially Volcanic Hills Winery who is across from the subject property. At the time of writing this report, there have been no comments from the winery.

### Liquor License Endorsement Requirements

The *Liquor Control and Licensing Act* requires the Liquor and Cannabis Regulation Branch to consult local governments on requests for the issuance, amendment or renewal of certain liquor licenses. This gives local governments an opportunity to gather the views of residents within the application area, as well as consider potential implications of the proposal. Upon making a resolution, LCRB requests that the local government forward the applicable resolution, report, and meeting minutes. The LCRB requests that all local governments consider and comment on specific criteria as outlined below:

#### *Location*

The subject property is located in the Lakeview Heights Neighbourhood and is surrounded by agricultural properties. The subject property is located on the Westside Wine Trail and the proposal is intended to benefit from and contribute to the ongoing success of the operators in the area.

#### *Person Capacity*

The person capacity of the proposed lounge areas totals a maximum of 178 including staff. The proposed occupancy is similar to wineries located within the area of the subject property as the Agricultural Land Commission regulates seating sizes and typically allows for up to 130 persons. It is important to highlight that this property is not subject to the ALC's regulations as it meets their exemption criteria since the property is less than 2 ac and was subdivided prior to 1972.

The following is a comparison of other Lounge Endorsement Areas operating in the area:

- Mt. Boucherie Winery (150 persons)
- Grizzli Winery (130 persons)
- Volcanic Hills (200 persons, non-farm use application for an oversized lounge)

#### *Proposed Hours of Liquor Service*

The applicant is proposing the following hours of operation:

| MONDAY    | TUESDAY   | WEDNESDAY | THURSDAY  | FRIDAY    | SATURDAY  | SUNDAY    |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 10: 00 AM | 10: 00 AM | 10: 00 AM | 10: 00 AM | 10: 00 AM | 10: 00 AM | 10: 00 AM |
| 12: 00 AM | 12: 00 AM | 12: 00 AM | 12: 00 AM | 12: 00 AM | 12: 00 AM | 12: 00 AM |

For context, the following are permitted hours of operation for liquor establishments along the Wine Trail:

- Lakesider Brewing from 9:00 AM to 12:00 AM;
- Mt. Boucherie from 10:00 AM to 11:00 PM (10:00 AM to 10:00 PM weekdays);
- Mission Hill from 11:00 AM to 11:00 PM; and
- Volcanic Hills from 11:00 AM to 11:00 PM.

Despite these being the permitted hours per each operator's license, not all of these operators choose to service during these hours and instead are used as maximum limits for hours of operation. The applicant has indicated that similar to these other Lounge Endorsements, they do not intend to operate to the full extent of the proposed hours of operation and instead would like the ability to do so for some events throughout the year. The applicant has indicated they intend to typically operate from 11:00 AM to 6:00 PM, Monday to Sunday. Despite the applicant indicating these are their typical hours of operation, if approved, the applicant could operate from 10:00 am to 12:00 am daily.

#### *Impact of Traffic, Noise & Parking*

The proposed brewery is located on the Wine Trail surrounded by similar types of liquor-related operations in the Lakeview Heights Neighbourhood. The proposed location is buffered from residential properties and is well suited to ensure there are little to no impacts in the area. The proposed outdoor lounge area is facing the interior of the property and is adjacent to the indoor lounge area and would allow for active monitoring by staff. No Special Event Area has been proposed, but the Lounge areas can be used for events up to their maximum occupancy.

#### *Impact on the Community if the Application is Approved*

The Wine Trail has become a major tourist attraction with positive economic benefits to the community. The Hatching Post is proposed between existing operators and will create an additional linkage for the Wine Trail, offering a variety of craft beers to patrons. The internally facing outdoor lounge will minimize impacts to surrounding properties (Figure 4). Lastly, the applicant is an experienced operator in the community and in conjunction with their other establishments will continue to advance the tourism industry in the community.

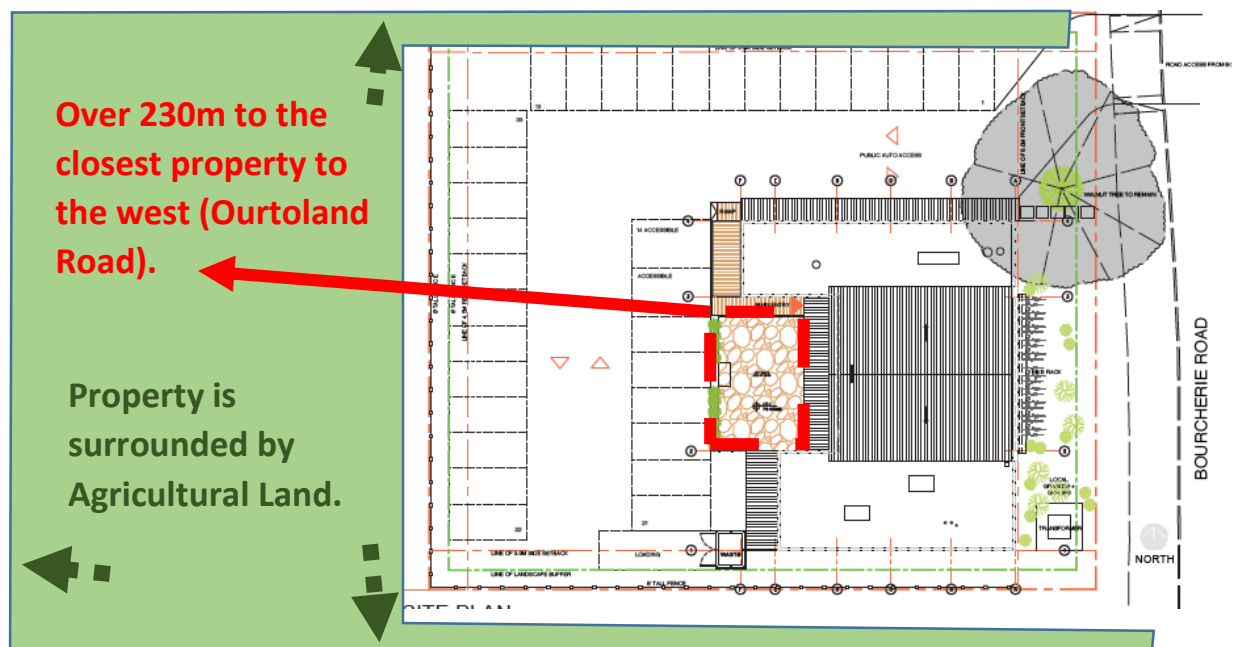


Figure 4. Outdoor Lounge Area

Based on the lack of input provided through the consultation process and existing uses in the area, it is not anticipated that the brewery would create any impacts that are greater than the other operators in the area.

#### *Public Notification and Consultation*

As per the *Liquor Control and Licensing Act*, and the *Local Government Act* the City has met applicable requirements to gather the comments and/or concerns of residents within the area of the proposal. As such, a notice of application sign was posted and a notice was mailed to all property owners or tenants within 100m of the subject property (13 mailed). Following discussions with the LCRB, the occupancy of the lounge area was updated to include staff members. The updated occupancy requirement was included on the notice of application sign and has been reflected in this report. No correspondence from the public has been received.

## **CONCLUSION**

Council may wish to consider the following as part of the consideration for the recommended motion:

- The Hatching Post is located on the Westside Wine Trail and is well situated to supplement the ongoing success of other operators in the area;
- The brewery is well buffered from residential properties and the site design will limit impacts to surrounding properties; and
- The site benefits from an active transportation corridor and the experienced operator intends to coordinate tours and utilize other event and tasting scheduling best practices to limit any potential parking conflicts.

## **ALTERNATE MOTIONS**

### **Support the Liquor License, Deny Variance (reduced occupancy)**

1. **THAT** Council deny consideration of the issuance of a Development Variance Permit (DVP 20-14) at 2850 Boucherie Road; and

**THAT** Council support the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement application (LL 20-03) for The Hatching Post (2850 Boucherie Road) with a maximum combined occupancy of 142 persons in accordance with the information contained in this report.

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.

### **Deny the Applications**

2. **THAT** Council deny consideration of the issuance of a Development Variance Permit (DVP 20-14) at 2850 Boucherie Road; and



**THAT** Council deny the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement application (LL 20-03) for The Hatching Post (2850 Boucherie Road) and direct staff to close the file.

Should Council deny the requested variance and liquor license, the files 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 BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments: Development Variance Permit, 2850 Boucherie Road



**CITY OF WEST KELOWNA**  
**DEVELOPMENT VARIANCE PERMIT**  
**DVP 20-17**

To: Terrabella Wineries Ltd.  
3191 Boucherie Road  
West Kelowna, BC  
V1Z 2G9

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

**LOT 1 DL 2687 ODYD Plan 17336**  
(2850 Boucherie Road)

3. This Permit allows for the operation of a brewery and ancillary uses with a variance to Zoning Bylaw 0154 to reduce the parking requirement from 42 to 33 spaces (9 spaces).
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. \_\_\_\_\_ PASSED BY THE MUNICIPAL COUNCIL ON \_\_\_\_\_, 2021.

ISSUED ON \_\_\_\_\_, 2021

Signed on \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
City Clerk



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 12, 2021

From: Chris Oliver, Planner III

File No. LL 20-02

Subject: **LL 20-02; Lounge Endorsement and Special Event Area Liquor License;  
3930 Harding Road**

---

### RECOMMENDATION

**THAT** Council support the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement and Special Event Area application (LL 20-02) for Crown and Thieves Winery (3930 Harding Road) in accordance with the information contained in this report.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Plan Priorities 2020-2022).

### BACKGROUND

The applicant is applying for a Lounge and Special Event Area Liquor License Endorsement for a winery that is under construction. The license areas include indoor and outdoor (rooftop) spaces all located within the footprint of the winery. The total occupancy of the lounge area is 146 (including staff) for the lounge areas and 150 for the special event area. The proposed hours of operation are 10:00 am to 11:00 pm, Monday to Sunday for both license endorsements.

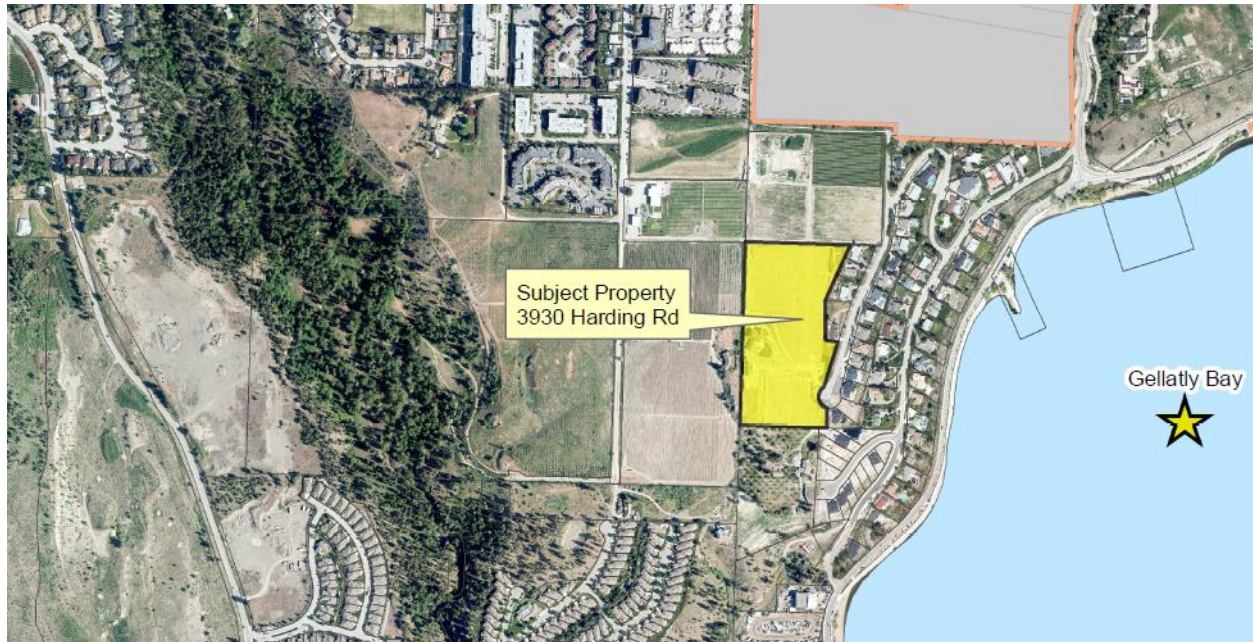
| PROPERTY DETAILS                 |                                   |                           |                                    |
|----------------------------------|-----------------------------------|---------------------------|------------------------------------|
| <b>Address</b>                   |                                   | 3930 Harding Road         |                                    |
| <b>PID</b>                       |                                   | 011-812-613               |                                    |
| <b>Folio</b>                     |                                   | 36415514.002              |                                    |
| <b>Lot Size</b>                  |                                   | 11.22 acres (45405.8 sqm) |                                    |
| <b>Owner</b>                     | Jason Parkes                      | <b>Agent</b>              | Graham Dell                        |
| <b>Current Zoning</b>            | Agricultural (A1)                 | <b>Proposed Zoning</b>    | Agricultural (A1)                  |
| <b>Current OCP</b>               | Agriculture                       | <b>Proposed OCP</b>       | Agriculture                        |
| <b>Current Use</b>               | Single Family Dwelling and Winery | <b>Proposed Use</b>       | Single Family Dwelling, and Winery |
| <b>Agricultural Land Reserve</b> |                                   | Yes                       |                                    |



### ADJACENT ZONING & LAND USES

|              |             |   |
|--------------|-------------|---|
| <b>North</b> | <b>^</b>    | Agricultural (A1) zoned property              |
| <b>East</b>  | <b>&gt;</b> | Single Family Residential (R1) zoned property |
| <b>West</b>  | <b>&lt;</b> | Agricultural (A1) zoned property              |
| <b>South</b> | <b>v</b>    | Agricultural (A1) zoned property              |

### NEIGHBOURHOOD MAP



### PROPERTY MAP





## DISCUSSION

The applicant is applying for two liquor license endorsements for a winery that is under construction in accordance with the ALC's and City's applicable regulations. Currently, the operation of the winery would be limited to tasting purposes with the ability to also apply for a picnic area endorsement (staff issuable). The requested endorsements would allow for the building to be used in a manner similar to other wineries in West Kelowna (offer food service, serve glasses of wine, etc.). The building is not subject to any Official Community Plan Development Permit guidelines, but renderings have been provided to provide context to the request (Figures 1 - 4).



Figures 1- 4. Construction Photos and Interior Renderings

### Liquor License Review Requirements

The *Liquor Control and Licensing Act* requires the Liquor and Cannabis Regulation Branch to consult local governments on requests for the issuance, amendment or renewal of certain liquor licenses. This gives local governments an opportunity to gather the views of residents within the application area, as well as consider potential implications of the proposal. Upon making a resolution, LCRB requests that the local government forward the applicable resolution, report, and meeting minutes.

The LCRB requests that all local governments consider specific criteria as outlined below:







#### *Location*

The subject property is located in the Gellatly Neighbourhood and is surrounded by agricultural and single-family residential properties. The subject property is located in close proximity to Gellatley Road and the proposal is intended to benefit from and contribute to the success of the operators in the area (e.g., Truck 59 Cidery).

#### *Person Capacity*

The proposed occupancy is similar to wineries located within the area of the subject property as the Agricultural Land Commission regulates seating sizes and typically allows for up to 130 patrons (not including staff). The applicant is proposing to have seasonal outdoor lounge areas and when closed, the patron capacity of those outdoor areas are transferred into the indoor lounge areas (Table 1 and Attachment 1).

**Table 1 Lounge and SEA Occupancy Breakdown**

| LCRB OCCUPANCY + LOUNGE   | AREA                  | OCCUPANCY (patrons + staff)                        |
|---|-----------------------|--|
| 1. MAXIMUM TOTAL BUILDING OCCUPANCY:  |                       | 150 persons max.                                   |
| 2. TOTAL OUTDOOR LOUNGE AREA:   | 1292 sq ft / 120 sq m | 83 persons max.                                    |
|  ROOF TOP (BCBC 3.4.2.1.2))                                    | 978 sq ft / 91 sq m   | 63 persons max.                                    |
|  TERRACE (FIXED SEATING)                                       | 313 sq ft / 29 sq m   | 20 persons   |
| 3. TOTAL INDOOR LOUNGE AREA:  | 1335 sq ft / 124 sq m | 63 persons (146 if all Outdoor Lounges are closed) |
|  MAIN FLOOR (STANDING SPACE 0.4/m <sup>2</sup> )               | 360 sq ft / 33 sq m   | 26 persons (47 if Terrace is closed)               |
|  BASEMENT INTERIOR LOUNGE (FIXED SEATING 0.75/m <sup>2</sup> ) | 978 sq ft / 91 sq m   | 37 persons (99 if Rooftop Patio is closed)         |
| 4. TASTING ROOM ONLY:   |                       |  |
|  MEZZANINE TASTING FLOOR (NON-FIXED SEATING)                   | 150 sq ft / 14 sq m   | up to 14 persons (limited by Lounge Occupancy)     |
| 5. SPECIAL EVENT AREA (W/ MAIN FLOOR W/C ACCESS):   |                       |  |
|  BASEMENT INTERIOR LOUNGE                                      | 980 sq ft / 91 sq m   | 150 person max. (Lounge + Tasting Areas closed)    |

The following is a comparison of other Lounge Endorsement Areas operating in the area:

- Mt. Boucherie Winery (150 persons)
- Volcanic Hills (200 persons, non-farm use application for an oversized lounge)
- Frind Winery (130 persons)

The applicant is also requesting a Special Event Area (SEA) endorsement that requires a separate authorization from the LCRB. The SEA designation allows for events both indoors and/or outdoors and may overlap with other designated areas (e.g. Lounge Area). When an event is taking place, the conditions of the special event area endorsement are

in effect. When an event is not taking place, the conditions of the special event area endorsement are not in effect. In this instance, the applicant is generally proposing a shift of occupancy for special events from the indoor and outdoor lounge areas into the basement of the building increasing the occupancy of that area to 150 persons. The proposed hours of operation are the same as the lounge areas.

#### *Proposed Hours of Liquor Service*

The applicant is proposing the following hours of operation for both the Lounges and SEA:

| MONDAY    | TUESDAY   | WEDNESDAY | THURSDAY  | FRIDAY    | SATURDAY  | SUNDAY    |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 10: 00 AM | 10: 00 AM | 10: 00 AM | 10: 00 AM | 10: 00 AM | 10: 00 AM | 10: 00 AM |
| 11: 00 PM | 11: 00 PM | 11: 00 PM | 11: 00 PM | 11: 00 PM | 11: 00 PM | 11: 00 PM |

For context, the following are permitted hours of operation for liquor establishments along the Wine Trail:

- Mt. Boucherie from 10:00 AM to 11:00 PM (10:00 AM to 10:00 PM weekdays);
- Mission Hill from 11:00 AM to 11:00 PM; and
- Volcanic Hills from 11:00 AM to 11:00 PM.

Despite these being the permitted hours per each operator's license, not all of these operators choose to service during these hours and instead are used as maximum limits for hours of operation. The applicant has indicated that similar to these other Lounge Endorsements, they do not intend to operate to the full extent of the proposed hours of operation and instead would like the ability to do so for some events throughout the year. The applicant has indicated they intend to typically operate from 11:00 AM to 8:00 PM, Monday to Sunday. Despite the applicant indicating these are their typical hours of operation, if approved, the applicant could operate from 10:00 am to 11:00 pm daily.

#### *Impact of Traffic, Noise & Parking*

The proposed winery is located in an agricultural area and the building location is adequately set back from the adjacent single-family dwellings east of the winery (Figure 5).

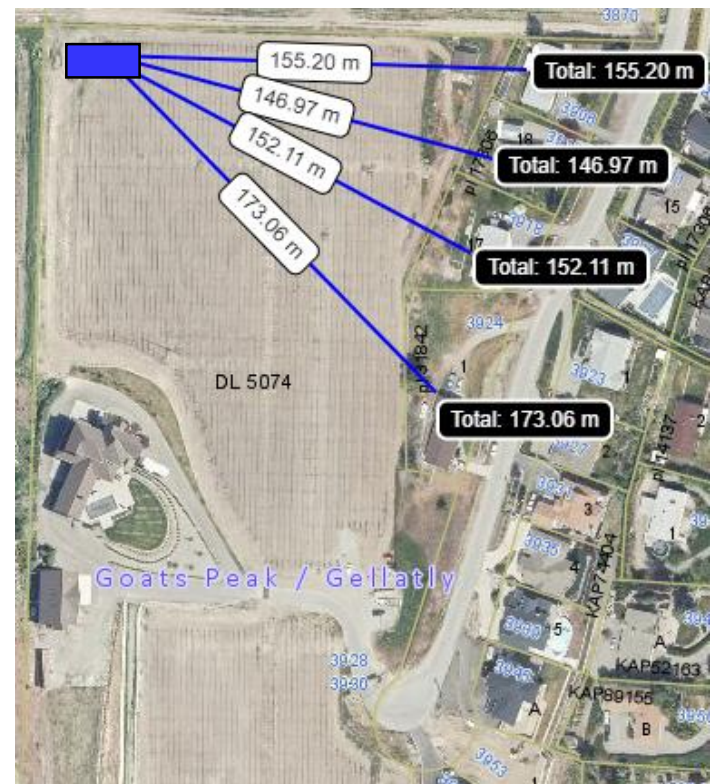


Figure 5. Setback Distances

The building has also been designed to minimize impacts to adjacent residents with a narrow profile east-west orientation limiting the exposure to the east. The easterly façade also includes a faux wall that will contribute to the noise attenuation of the rooftop area. In addition to these lounge related considerations, the SEA is entirely located indoors in the basement which will reduce any potential impact of events held in that area.



### *Impact on the Community if the Application is Approved*

The applicant is an experienced operator in the community and in conjunction with their other establishments will continue to advance the tourism industry in West Kelowna. The use is permitted as part of the A1 – Agricultural Zone and the winery is currently under construction. The Lounge and SEA endorsements are anticipated to increase the amount of traffic on Harding Road over the base approvals that allow for tasting and a picnic area. An important consideration regarding the access to the Winery is that the property owner is also an owner of Truck 59 Cidery which is adjacent to the subject property and would benefit from access to Brown Road (Figure 6). The applicant has indicated that they intend to utilize this access but in discussion with the LCRB, requiring the registration of an easement or SRW through an adjacent property is not typical under the scope of a Lounge Endorsement Liquor License. If the traffic associated with the Lounge Endorsement is concerning, the method for reducing traffic impacts would be to reduce the hours of operation or occupancy of the lounge area.

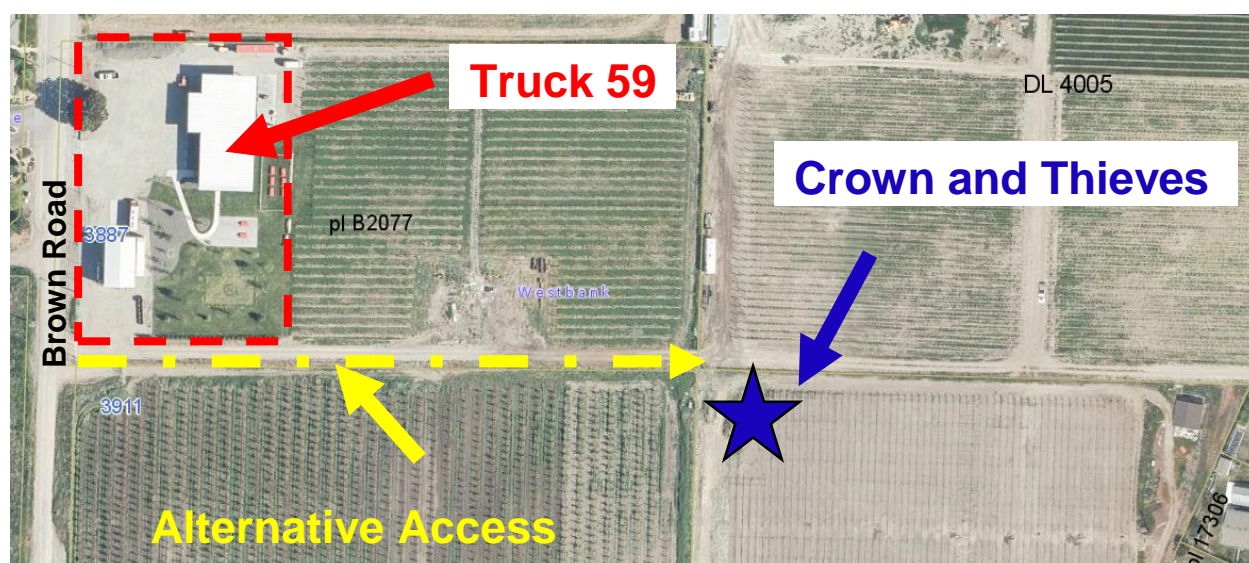


Figure 6. Alternative Access from Brown Road

### *Public Notification and Consultation*

As per the *Liquor Control and Licensing Act*, and the *Local Government Act* the City has met applicable requirements to gather the comments and/or concerns of residents within the area of the proposal. As such, a sign was posted on the subject property notifying the surrounding neighbours of the proposal and a notice was mailed to all property owners or tenants within 100m of the subject property (64 mailed). Following discussions with the LCRB, the occupancy of the lounge area was updated to include staff members. The updated occupancy requirement was included on the notice of application sign and has been reflected in this report.

At the time of writing this report, two submissions have been received citing concern for the following (Attachment 2):

- Access and traffic impacts on the surrounding road network

- Noise impacts from the lounge areas to the residents of Harding Road and Angus Drive; and
- The hours of operation being too late.

## **CONCLUSION**

Council may wish to consider the following as part of the consideration for the recommended motion:

- Crown and Thieves Winery is well situated to supplement the ongoing success of other operators in the area;
- The winery and lounge area are set back from residential properties and the building design will reduce impacts to surrounding properties;
- The proposed SEA is entirely located in the basement of the building and will significantly reduce and potential impacts to surrounding properties; and
- The proposal meets all applicable ALC and Zoning Bylaw requirements.

## **ALTERNATE MOTIONS**

### **Support Application**

1. **THAT** Council postpone consideration of the proposed Lounge Endorsement and Special Event Area Liquor License (LL 20-02).

Should Council wish to postpone consideration of the application, it is requested direction be provided.

### **Deny Application**

2. **THAT** Council deny the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement application (LL 20-02) for Crown and Theives Winery (3930 Harding Road) and direct staff to close the file.

Should Council deny the requested liquor license, 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 BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

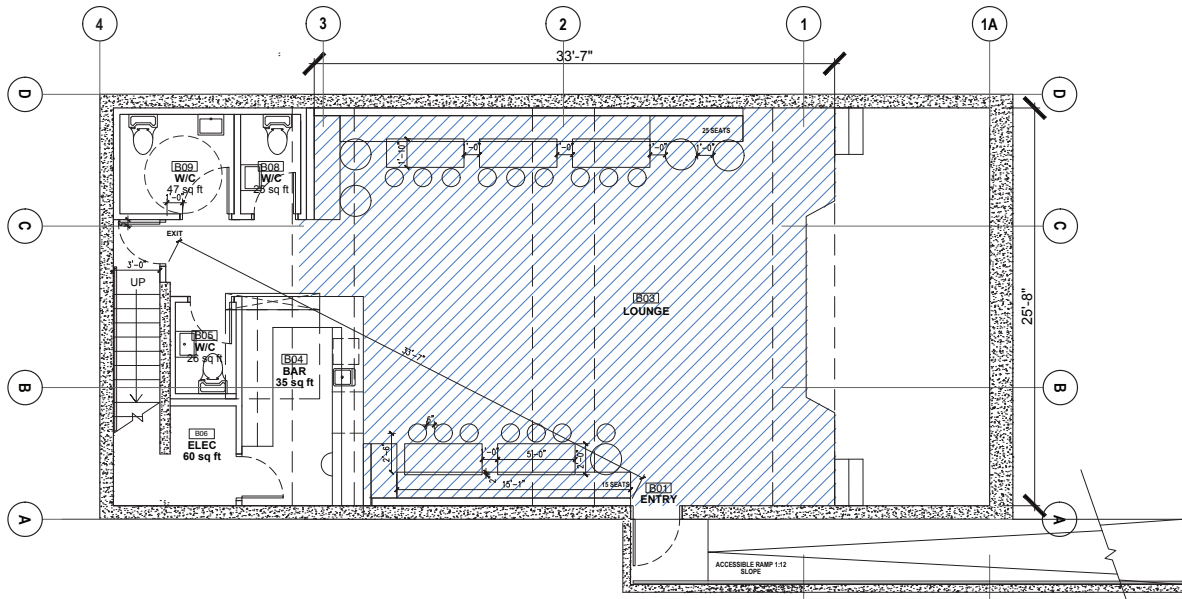
**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO





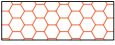

Powerpoint: Yes ☒ No ☐

**Attachments:**

1. Floor Plan Breakdown, prepared by Lake Monster Studio
2. Public Submissions

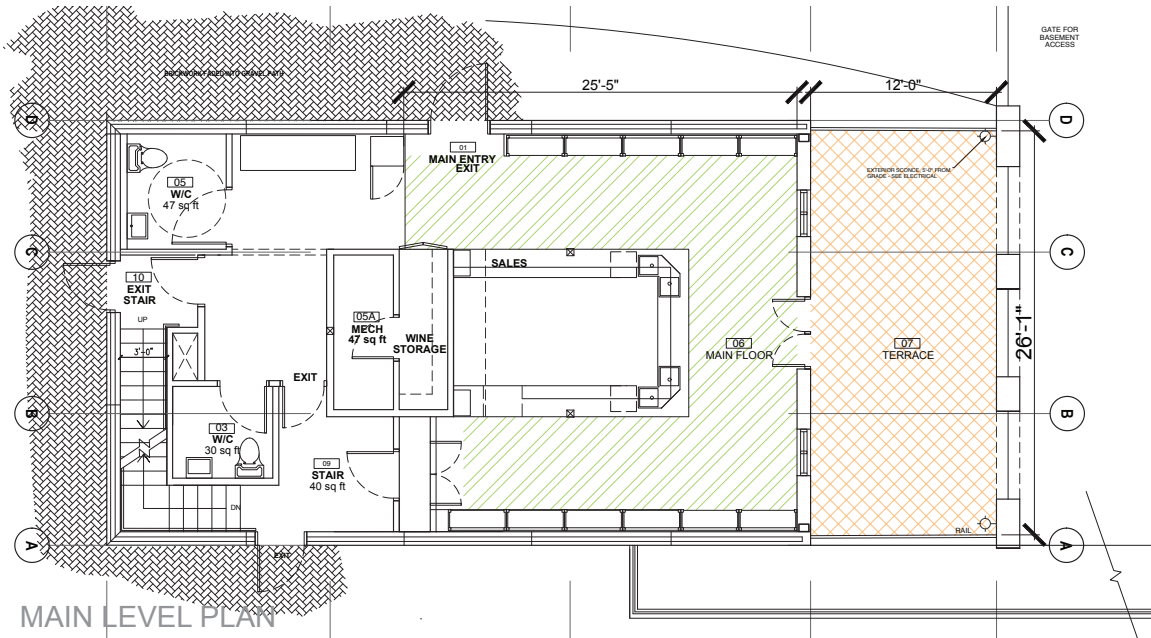








BASEMENT LEVEL PLAN

| LCRB OCCUPANCY + LOUNGE   | AREA                  | OCCUPANCY (patrons + staff)                        |
|---|-----------------------|--|
| 1. MAXIMUM TOTAL BUILDING OCCUPANCY:  |                       | 150 persons max.                                   |
| 2. TOTAL OUTDOOR LOUNGE AREA:   | 1292 sq ft / 120 sq m | 83 persons max.                                    |
|  ROOF TOP (BCBC 3.4.2.1.2))                                     | 978 sq ft / 91 sq m   | 63 persons max.                                    |
|  TERRACE (FIXED SEATING)                                       | 313 sq ft / 29 sq m   | 20 persons   |
| 3. TOTAL INDOOR LOUNGE AREA:  | 1335 sq ft / 124 sq m | 63 persons (146 if all Outdoor Lounges are closed) |
|  MAIN FLOOR (STANDING SPACE 0.4/m <sup>2</sup> )               | 360 sq ft / 33 sq m   | 26 persons (47 if Terrace is closed)               |
|  BASEMENT INTERIOR LOUNGE (FIXED SEATING 0.75/m <sup>2</sup> ) | 978 sq ft / 91 sq m   | 37 persons (99 if Rooftop Patio is closed)         |
| 4. TASTING ROOM ONLY:   |                       |  |
|  MEZZANINE TASTING FLOOR (NON-FIXED SEATING)                   | 150 sq ft / 14 sq m   | up to 14 persons (limited by Lounge Occupancy)     |
| 5. SPECIAL EVENT AREA (W/ MAIN FLOOR W/C ACCESS):   |                       |  |
|  BASEMENT INTERIOR LOUNGE                                      | 980 sq ft / 91 sq m   | 150 person max. (Lounge + Tasting Areas closed)    |

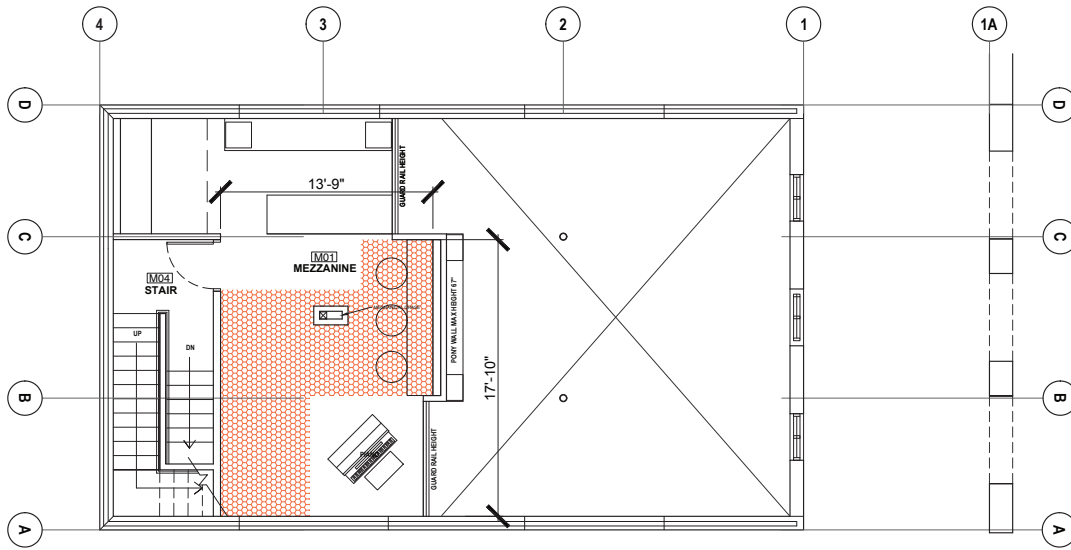
## OCCUPANCY PLANS







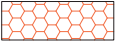



| LCRB OCCUPANCY + LOUNGE   | AREA                  | OCCUPANCY (patrons + staff)                        |
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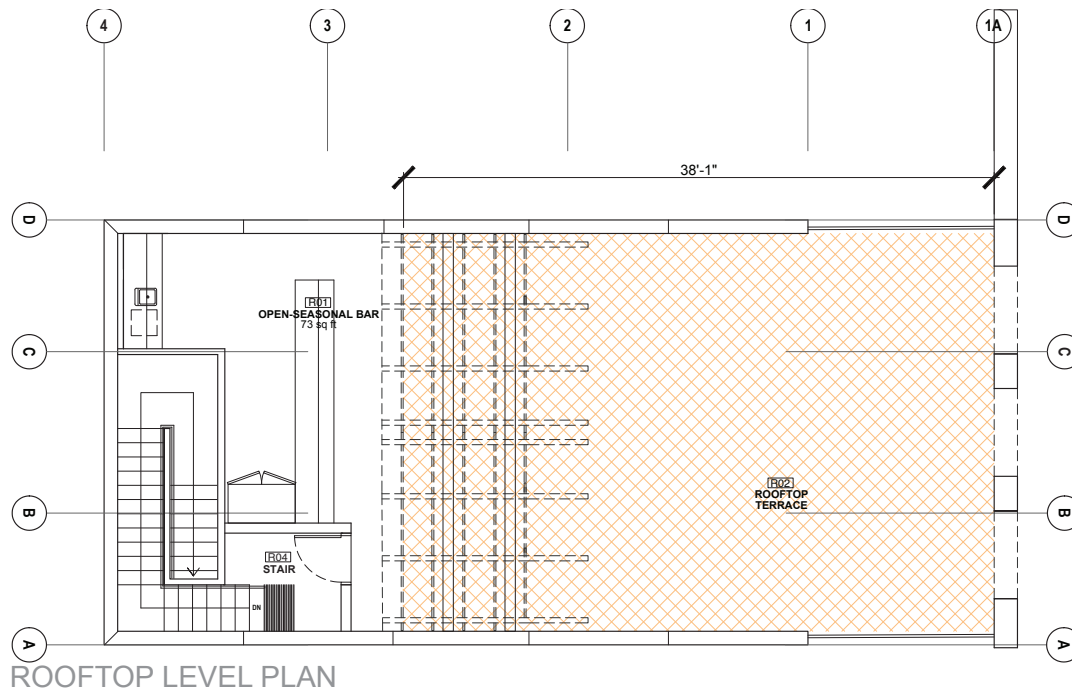
## OCCUPANCY PLANS









MEZZANINE LEVEL PLAN

| LCRB OCCUPANCY + LOUNGE   | AREA                  | OCCUPANCY (patrons + staff)                        |
|---|-----------------------|--|
| 1. MAXIMUM TOTAL BUILDING OCCUPANCY:  |                       | 150 persons max.                                   |
| 2. TOTAL OUTDOOR LOUNGE AREA:   | 1292 sq ft / 120 sq m | 83 persons max.                                    |
|  ROOF TOP (BCBC 3.4.2.1.2))                                     | 978 sq ft / 91 sq m   | 63 persons max.                                    |
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## OCCUPANCY PLANS



| LCRB OCCUPANCY + LOUNGE   | AREA                  | OCCUPANCY (patrons + staff)                        |
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| 4. TASTING ROOM ONLY:   |                       |  |
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| 5. SPECIAL EVENT AREA (W/ MAIN FLOOR W/C ACCESS):   |                       |  |
|  BASEMENT INTERIOR LOUNGE                                      | 980 sq ft / 91 sq m   | 150 person max. (Lounge + Tasting Areas closed)    |

## OCCUPANCY PLANS

**Chris Oliver**

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**Subject:** FW: File No. LL 20-02 (Xiaohong He, Lot 3 Plan KAP1568 District Lot 807 Land District 41)

**From:** 晓红 何 <[REDACTED]>

**Sent:** December 31, 2020 12:13 PM

**To:** City of West Kelowna Submissions <[Submissions@westkelownacity.ca](mailto:Submissions@westkelownacity.ca)>

**Subject:** File No. LL 20-02 (Xiaohong He, Lot 3 Plan KAP1568 District Lot 807 Land District 41)

Hi,

I disagree the operation hour for winery 10am-11pm. This operation hour close too late and it will affect neighbours' daily life. I prefer the operation hour ending as early as 8pm. Thank you.

Xiaohong He

Sent from [Mail](#) for Windows 10

January 4, 2021 @ 6:27 pm

# 2

January 4<sup>th</sup>, 2021

**Attn: City Clerk**

**From: William Talalayeovsky, owner**


3906 HARDING ROAD WESTBANK, BC V4T 2J9

Lot 19 Plan KAP17306 District Lot 5074 Land District 41

PID: 004-616-189

Subject: How **LL 20-02** effects 3906 HARDING ROAD WESTBANK, BC V4T 2J9 and the surrounding area

Any traffic to and from 3930 HARDING ROAD WESTBANK will take place via Harding road, Angus drive, Gellatly road, and possibly Boucherie road. Harding road and Angus drive currently have very little traffic and certainly no drunk driving at 11pm. Harding road, Angus drive, and Gellatly road are very winding and steep, residents along these roads will be affected by up to 150 people on any given night who have recently had their fill of wine. This seems like a very dangerous idea that will negatively affect the entire area (especially when snow is on the ground). Also, there will be a high possibility of loud music uphill from all of the residence of Harding road and Angus drive until 11pm. All residents down hill from this noise will be affected. As a result of this all home values in the area downhill from Harding road and Angus drive will drop, thereby reducing property taxes for the area impacting West Kelowna budgets. Please do NOT approve Liquor License Permit LL 20-02.



William Talalayeovsky  
2323 Palisview PL SW  
Calgary, AB  
T2V 3R7

REF: Liquor License Permit LL 20-02



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 12, 2021

From: Rob Hillis, Engineering Manager

File No: 5600.19

Subject: **Rose Valley Water Treatment Plant Electrical, Instrumentation and Controls Equipment Supply Award**

---

### RECOMMENDATION

**THAT** Council authorize the Mayor and Corporate Officer to execute an agreement with Spartan Controls Limited for the supply of Electrical, Instrumentation, and Controls for the Rose Valley Water Treatment Plant in the amount of Two Million, Seven Hundred and Eighty One Thousand, Two Hundred and Ninety Seven dollars (\$2,781,297.00).

### STRATEGIC AREA(S) OF FOCUS

The 2020-2022 Strategic Priorities identifies the Rose Valley Water Treatment Plant as a priority project under Invest in Infrastructure.

### BACKGROUND

As part of the design and tender process for the Rose Valley Water Treatment Plant, the City issued a Request for Proposals (RFP) for the supply of Electrical, Instrumentation and Controls Equipment for the plant. The City issued the RFP on October 28<sup>th</sup> 2020 and the submission period closed on December 11, 2020. The City received eight proposals through the competitive process.

The City of West Kelowna Purchasing Policy requires open competition and a best value procurement process, with the requirement of Council approval if the contract value exceeds \$250,000. The City's design consultant, AECOM, conducted a detailed evaluation of each proposal, a summary of their evaluation is provided in **Appendix A**. The consultant has recommended the City to award the contract to Spartan Controls Limited.

Spartan Controls Limited has provided the City with a competitive price, which is also favourable throughout the lifetime of the treatment facility. Additional benefits of the Spartan proposal is that it is based on the Delta V electrical control system, which is the same technology in the Powers Creek Water Treatment Plant. City staff that operate the Powers Creek plant are pleased with the performance and customer support they receive

for the electrical instrumentation and controls for the plant. By having the same system in the two plants, it will allow for easier operation and maintenance of the facility. The City currently has an annual service agreement in place with Spartan for licensing and hardware upgrades. Additionally Spartan has local support and are familiar with supporting the Powers Creek control system.

The successful General Contractor is required to coordinate the supply and installation of the electoral and instrumentation works. The tender for the Water Treatment Plant is scheduled to close on Thursday January 21<sup>st</sup>.

## **FINANCIAL IMPLICATIONS**

Funding for the Rose Valley Water Treatment Plant Electrical, Instrumentation and Controls Equipment Supply Award is approved as part of the budget for the construction of the Rose Valley Water Treatment Plant. The \$2,781,297.00 cost is within the Engineer's estimate for the Electrical, Instrumentation and Controls Equipment portion of the contract.

## **REVIEWED BY**

Allen Fillion, Director of Engineering and Public Works

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

## **APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☐ No ☒

## **Attachments:**

Appendix A – AECOM Electrical, Instrumentation and Controls Equipment Supply Award Recommendation

January 7, 2021

Rob Hillis, Engineering Supervisor  
City of West Kelowna  
204-879 Anders Road  
West Kelowna, BC  
V1Z 1K2

**Dear Mr. Hillis**

**Project No: 60557308**

**Regarding: RFP #2020-10-P650 Evaluation Results and Recommendation**

## 1. Background

On Friday, December 11, 2020 the submission period closed for *RFP 2020-10-P650 Request for Proposals for Rose Valley WTP – Electrical, Instrumentation & Control Equipment Supply*. Responses were received from the following vendors:

- ABB Inc.
- enCompass Electrical Solutions
- Gescan
- ICI Electrical Engineering
- QCA Systems Ltd.
- Spartan Controls Ltd.
- Stellar Power & Controls Ltd.
- Turn-Key Controls Ltd.

The responses were received, reviewed and evaluated in accordance with the evaluation criteria. The evaluation criteria were documented prior to receiving the proposals and was based on a benefit to cost methodology. The cost was based on the proposal submission including any post submission clarifications. The benefits were evaluated based on the following 2 main categories:

- Operational: Within this category the qualifications and experience of the project team being offered combined with the availability of the technical field staff were the primary items considered.
- Contract: Compliance with the technical and commercial terms in addition to overall completeness and quality of the finished product were evaluated.

## 2. Evaluation Results

The City received eight (8) responses from control system vendors. This letter provides a high-level summary of each response and a recommendation for award of the *RFP 2020-10-P650 Request for Proposals for Rose Valley WTP – Electrical, Instrumentation & Control Equipment Supply*.

### 2.1.1 ABB Inc.

ABB Inc. offers a complete solution for a DCS control system. The ABB Inc. equipment and technology are known in the market and has a good reputation for being a reliable control system. A few items to highlight with the ABB Inc. proposal are:



- The qualifications and experience of the ABB team was scored high as ABB has dedicated resources that focus on the design and implementation of the electrical and instrumentation packages.
- The Integration team are based on Ontario. This will be fine for the majority of the production support, but it is expected that ongoing field services and support will be more expensive than a more local service provider. ABB was scored low in this evaluation category.
- Numerous qualifications are provided within the proposal to limit the scope of responsibility. Given this the number of scope changes expected during the completion of the project is expected to be higher than other submissions. Nevertheless, the understanding of the project scope was acceptable. Average scoring was assigned for compliance with the technical terms.
- The field services cost was less than half the average. Additionally, the use of an ABB solution will result in the City needing to establish additional software and technical support contracts and the ABB control system differs from the controls used at the Powers Creek WTP.

The ABB Inc. capital cost was closely aligned with the average. The evaluation of the non cost items resulted in ABB being assigned about half the total available points.

### 2.1.2 enCompass Electrical Solutions

The enCompass Electrical Solutions provided a complete proposal, with the inclusion and exclusions documented. The proposal is based on Rockwell equipment, which is a known, quality vendor for this scope of work. enCompass Electrical Solutions has limited experience in the municipal market.

A few items to highlight with the enCompass Electrical Solutions proposal are:

- The qualifications and experience of the enCompass Electrical Solutions team was assignment a below average score as other proponents have teams with more municipal treatment facility experience.
- The Integration team are based on Port Coquitlam. Having the integration team located in Port Coquitlam will be fine for the majority of the production support, but it is expected that ongoing field services and support will be more expensive than a more local service provider. enCompass Electrical Solutions was scored low in this evaluation category.
- Numerous qualifications are provided within the proposal to limit the scope of responsibility. Given this the number of scope changes expected during the completion of the project is expected to be higher than other submissions. Nevertheless, the understanding of the project scope was acceptable. Average scoring was assigned for compliance with the technical terms.

For the enCompass Electrical Solution, once the work is complete the City needing to establish additional software and technical support contracts with Rockwell. This will be an additional operating cost to the City as a Rockwell based solution differs from the controls used at the Powers Creek WTP.

enCompass Electrical Solutions received about half the available points and offer a total price close to the average.

### 2.1.3 Gescan

Gescan provided a proposal for only the Division 16 equipment. All the Division 17 portion of the scope was not included in their proposal.

The Gescan Division 16 equipment offer was based on using ABB Inc. equipment and was the highest price for this portion of the scope of work. Given the Gescan price was the highest for the portion of the scope of work included in their proposal, the Gescan submission was not evaluated further.

#### 2.1.4 ICI Electrical Engineering

ICI Electrical Engineering is a company based in Kamloops with experience in the municipal treatment marketplace. The ICI Electrical Engineering bid is based on equipment manufactured by Schneider Electric. ICI Electrical Engineering did not include the optional instrumentation scope within their proposal. To equalize the proposals once the average cost for the optional instrumentation scope is added to the ICI Electrical Engineering proposal cost, their submission represents one of the highest cost proposals.

A few items to highlight with the ICI Electrical Engineering proposal are:

- The qualifications and experience of the ICI Electrical Engineering is relevant for this project. The ICI Electrical Engineering was scored high in this category, but not as high as others such as QCA, Spartan and Turn-Key.
- The Integration team are based on Kamloops, BC. This will be fine for the majority of the production support, but it is expected that ongoing field services and support will be more expensive than a more local service provider. ICI Electrical Engineering was provided a moderate score as others with local technical support were scored higher.
- The use of Schneider Electric equipment is not a “true” DCS solution. It is documented within the proposal that the functionality will be comparable, but control system architecture was not provided. Given this the ICI proposal was provided a lower score in the category of compliance with the technical terms.
- The use of a Schneider Electric solution will result in the City needing to establish additional software and technical support contracts as control system differs from the controls used at the Powers Creek WTP.

The ICI Electrical Engineering proposal did not include a significant portion of the project scope, their price was high and the technical solution used equipment that is expected to offer lower performance than other proponents.

#### 2.1.5 QCA Systems Ltd.

The QCA Systems Ltd. is a company based in Delta. The submission was complete with a detailed layout of the DCS panel layout provided. QCA Systems Ltd is major Rockwell Integrator in BC, with relevant experience in the municipal water and wastewater field. A good understanding of scope is conveyed in the QCA Systems Ltd proposal.

A few items to highlight with the QCA Systems Ltd. Submission are:

- The qualifications and experience of the QCA Systems Ltd. is relevant for this project. The QCA Systems Ltd team was provide top points in this category.
- The Integration team are based in Delta, BC. This will be fine for the majority of the production support, but it is expected that ongoing field services and support will be more expensive than a more local service provider. QCA Systems Ltd was provided a moderate score as others with local technical support were scored higher.
- QCA Systems Ltd. demonstrated a good understanding of the project scope and offered a complete technical solution. Given this the proposal was provided a higher score in the category of compliance with the technical terms.
- The use of a Rockwell solution will result in the City needing to establish additional software and technical support contracts as control system differs from the controls used at the Powers Creek WTP.

The QCA Systems Ltd proposal was one of the higher ranked submissions. However, the cost of the proposal was the highest by more than \$ 1 M. Given the cost of the proposal was over the estimate and significantly higher than other comparably ranked proponents the QCA Systems Ltd submission was not considered further.

### 2.1.6 Spartan Controls Ltd.

The Spartan Controls Ltd. is a company based in Burnaby. The submission was complete with a detailed layout of the DCS panel layout provided. Spartan Controls Ltd is the licenced Delta V vendor in BC, with relevant experience in the municipal water and wastewater field.

A few items to highlight with the Spartan Controls Ltd submission are:

- The qualifications and experience of Spartan Controls Ltd is relevant for this project. The Spartan Control Ltd team was provided top points in this category.
- For the integration and field services Spartan Controls Ltd has teamed with Centrix Control Solutions Ltd based on Kelowna. Centrix Control Solutions Ltd are locally based, know the City of West Kelowna control system and have relevant Delta V experience. Given all these benefits top marks were assigned to the Spartan Control Ltd proposal.
- Spartan Controls Ltd. demonstrated the best understanding of the project scope. An architecture drawing of the control system was provided, DCS panel layout and complete BOM. The Spartan Control Ltd proposal was provided the highest score for compliance with the technical terms.
- The use of a Delta V solution aligns directly with the controls already used at the Powers Creek WTP. The Spartan Controls Ltd solution offers the City the lowest long term cost of ownership given the direct alignment with the controls used at the Powers Creek WTP. It is estimated that the City will save in the order of \$ 30 – 50 k per year using the Spartan Control Ltd equipment offer.

Spartan Controls Ltd was the highest ranked submission.

### 2.1.7 Stellar Power & Controls Ltd.

The Stellar Power & Controls Ltd. is a company based in Langley with relevant experience in the municipal water and wastewater field. The Stellar Power & Controls Ltd proposal is based on equipment manufactured by Schneider Electric. This is similar to the ICI Electrical Engineering proposal, however instead of offering one of the highest cost proposals, the Stellar Power & Controls Ltd proposal was the lowest cost. The Stellar Power & Controls Ltd lacked detail resulting in the need to clarify the scope of the proposal complete with some price modifications.

A few items to highlight with the Stellar Power & Controls Ltd proposal are:

- The qualifications and experience of the Stellar Power & Control Ltd is relevant for this project. The Stellar Power & Control Ltd was scored high in this category, but not as high as others such as QCA, Spartan and Turn-Key.
- The Integration team are based on Langley, BC. This will be fine for the majority of the production support, but it is expected that ongoing field services and support will be more expensive than a more local service provider. Stellar Power & Control Ltd was provided a moderate score as others with local technical support were scored higher.
- The use of Schneider Electric equipment is not a “true” DCS solution. It is documented within the proposal that the functionality will be comparable. Additionally, the Stellar Power & Control proposal is based on “in-house” assembly of the MCC using items provided by Schneider Electric. The proposal from Stellar Power & Control was provided the lowest score in the category of compliance with the technical terms.
- The use of a Schneider Electric solution will result in the City needing to establish additional software and technical support contracts as control system differs from the controls used at the Powers Creek WTP.

Stellar Power & Controls Ltd is one of the lowest ranked proposals given the equipment selected for the basis of the proposal, compliance with the technical terms and understanding of the scope of work.

### 2.1.8 Turn-Key Controls Ltd.

The Turn-Key Controls Ltd is a company based in Vernon. Similar to QCA Systems Ltd, the Turn-Key Controls solution is based on Rockwell equipment and is a complete submission that demonstrates a good understanding of the project scope.

A few items to highlight with the Turn-Key Controls Ltd submission are:

- The qualifications and experience of the Turn-Key Controls Ltd is relevant for this project. The Turn-Key Controls Ltd team was provided top points in this category.
- The Integration team are based in Vernon, BC. This will be fine for the majority of the production support. Turn-Key was provided top marks in this category as it is assumed that a similar level of service can be provided as a Kelowna based company for field services.
- Turn-Key Controls Ltd demonstrated a good understanding of the project scope and offered a complete technical solution. Given this the proposal was provided a higher score in the category of compliance with the technical terms.
- The use of a Rockwell solution will result in the City needing to establish additional software and technical support contracts as control system differs from the controls used at the Powers Creek WTP.

The Turn-Key Controls Ltd proposal was ranked high; however, the cost of the proposal was one of the highest submissions. Given the cost of the proposal was higher than other comparably ranked proponents the Turn-Key Controls Ltd submission was not considered further.

## 3. Conclusion and Recommendations

The evaluation of the proposals results in Spartan Controls Ltd being the preferred proponent with the highest benefit to cost. Notwithstanding the benefit evaluation the Spartan Controls Ltd offers the City the best financial value. The cost difference between the lowest cost proposal from Stellar Power & Controls and Spartan Controls Ltd is \$ 321,066. Based on the estimated annual operating cost saving of \$ 30 – 50 k per year associated with reduced licensing, technical support, training and replacement parts the payback associated with the Spartan Control Ltd is 6 – 10 years.

Another important point regarding the cost of the Spartan Control Ltd and the Stellar Power & Control proposal is the inclusion of the Site Services. The Site Services covers technical support on-site during construction and commissioning. The Spartan Control Ltd fee for this service is \$ 136,800 higher than the Stellar Power & Controls proposal or more than double. This allowance is expected to result in fewer extra claims during construction and commissioning.

As the highest ranked proponent, we recommend the City to award the *RFP 2020-10-P650 Request for Proposals for Rose Valley WTP – Electrical, Instrumentation & Control Equipment Supply* to Stellar Controls Ltd in the amount of \$ 2,781,297.00.

Please contact the undersigned with any questions, otherwise we assume the notice of award will be issued as soon as possible.

Yours sincerely,



Brett deWynter, P.Eng.  
Water Group, Canada West  
AECOM Canada Ltd.  
T: 250-980-7104  
E: [brett.dewynter@aecom.com](mailto:brett.dewynter@aecom.com)



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 12, 2021

From: Rob Hillis, Engineering Manager

File No. 5600-19

Subject: **Rose Valley Water Treatment Plant Ultraviolet Disinfection Equipment Supply Award**

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### RECOMMENDATION

**THAT** Council authorize the Mayor and Corporate Officer to execute an agreement with Xylem Canada Company for the supply of Ultraviolet Disinfection Equipment for the Rose Valley Water Treatment Plant in the amount of Two Hundred and Eighty Nine Thousand, Nine Hundred and Ninety Nine dollars, and Eighty Cents (\$289,999.80).

### STRATEGIC AREA(S) OF FOCUS

The 2020-2022 Strategic Priorities identifies the Rose Valley Water Treatment Plant as a priority project under Invest in Infrastructure.

### BACKGROUND

As part of the design of the future Rose Valley Water Treatment Plant, the City issued a Request for Proposals (RFP) for the supply of Ultraviolet (UV) Equipment. The City received four proposals through the competitive process that was completed in accordance with the City's Purchasing Policy. The Purchasing Policy requires open competition and a best value procurement process, with the requirement of Council approval if the contract value exceeds \$250,000.

The City's design consultant, AECOM Canada Limited, conducted a detailed evaluation of each proposal, a summary of their evaluation is provided in **Appendix A**. The consultant has recommended the City award the contract to Xylem Canada Company. Xylem provided the City with the lowest capital and annual operating costs of the UV reactors. Additionally, Xylem provides technical support in Western Canada and provided successful references.

## **FINANCIAL IMPLICATIONS**

Funding for the Rose Valley Water Treatment Plant Ultraviolet Disinfection Equipment Supply Award is approved as part of the budget for the construction of the Rose Valley Water Treatment Plant. The \$289,999.80 cost is within the Engineer's estimate for the supply of UV Equipment.

## **REVIEWED BY**

Mike Ummenhofer, Purchasing Manager

Allen Fillion, Director of Engineering and Public Works

Shelley Schnitzler, Manager of Legislative Services/Corporate Officer

## **APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☐ No ☒

Attachments:

Appendix A – AECOM RFP 2020-04-P210 Evaluation Results and Recommendation



January 6, 2021

Rob Hillis, Engineering Supervisor  
City of West Kelowna  
204-879 Anders Road  
West Kelowna, BC  
V1Z 1K2

**Dear Mr. Hillis**

**Project No: 60557308**

**Regarding: RFP 2020-04-P210 Evaluation Results and Recommendation**

## 1. Background

On May 26, 2020 the submission period closed for *RFP 2020-04-P210 Request for Proposals for Rose Valley WTP – UV Equipment Supply*. Responses and total capital cost were received from the following vendors:

- |                                      |   |
|--------------------------------------|---|
| • Atlantium Technologies Ltd.        | \$ 622,020.00   |
| • Calgon Carbon UV Technologies Ltd. | \$ 393,300.00   |
| • Trojan Technologies Ltd.           | \$ 479,400.00   |
| • Xylem Canada Company               | \$ 289,999.80 (adjusted by a \$ 30,000 credit for the transition flanges) |

The responses were received, reviewed and evaluated in accordance with the evaluation criteria.

## 2. Evaluation Results

### 2.1 General Contractors

The City received four (4) responses from UV equipment vendors. This letter provides a high-level summary of each response and a recommendation for award of the UV equipment. Attached to this letter is a detailed evaluation of the submissions from Calgon Carbon UV Technologies Ltd. and Xylem Canada Company.

#### 2.1.1 Atlantium Technologies Ltd.

Atlantium Technologies Ltd. offered medium pressure UV reactors that met all the requirements of the request for the proposal. A couple significant challenges with the submission from Atlantium Technologies Ltd. are:

- They have no other installed equipment within Western Canada. The closest other installation is Montana in the United States. It was stated in the proposal that technical support would be readily available, but given the lack of other equipment in the area being able to cost effectively maintain timely, local technical support for the entire life of the equipment is expected to be a challenge. The limited previously installed equipment in North America results in low points for the Operational evaluation category.
- The capital cost of the equipment is more than double the low equipment price.

- The annual operating cost was reviewed and was confirmed to be high based on the higher power consumption, shorter lamp life and higher replacement parts typically associated with medium pressure UV disinfection systems.

The Atlantium Technologies Ltd. proposal was reviewed, but not documented in the summary sheets attached to this letter since their submission was the highest cost with no non-cost benefits compared to the other submissions.

#### 2.1.2 Calgon Carbon UV Technologies Ltd.

Calgon Carbon UV Technologies Ltd. offered the lowest capital cost of the medium pressure UV reactors submitted to the City. Calgon Carbon UV Technologies Ltd have functioning comparable equipment with the City of Kelowna and the Glenmore Ellison Improvement District in the Okanagan. Additionally, Calgon Carbon UV Technologies Ltd. has numerous installations within Western Canada with a proven track record of acceptable technical support.

A detailed evaluation of the submission from Calgon Carbon UV Technologies Ltd. was completed. The results are attached to this letter.

#### 2.1.3 Trojan Technologies Ltd.

Trojan Technologies Ltd. offered both low pressure and medium pressure UV reactors that met all the requirements of the request for proposal.

Trojan Technologies Ltd. is the manufacturer of the UV equipment being used at the Powers Creek WTP. This equipment has been in service for the past roughly 10-years and has worked well for the City. The challenge with the Trojan Technologies Ltd. proposal is the equipment being offered for the Rose Valley WTP is not directly comparable to the existing equipment at the Powers Creek WTP. This means spare parts could not be shared between the 2 sites. Other than the administrative ease of working with 1 vendor there is no other benefit associated with having Trojan Technologies Ltd. equipment at both sites.

The other challenge with the Trojan Technologies Ltd. submission is the cost. The medium pressure reactors capital cost is \$ 479,400.00, which is almost \$ 200 k higher than the Xylem Canada Company capital cost. The operating cost of the medium pressure Trojan Technologies Ltd. equipment will be higher than the Xylem Canada Company low pressure UV disinfection system. Trojan Technologies Ltd. also offered a low-pressure UV disinfection system, but at a higher capital cost. A high-level review of the costs indicates that the life cycle cost of the offerings from Trojan Technologies Ltd. are comparable.

The Trojan Technologies Ltd. proposals were reviewed, but not documented in the summary sheets attached to this letter since their submission cost was higher with no non-cost benefits compared to the other submissions from Calgon and Xylem.

#### 2.1.4 Xylem Canada Company

Xylem Canada Company offered the lowest capital cost of the low pressure UV reactors submitted to the City. Xylem Canada Company have functioning equipment with the Black Mountain Irrigation District and the Regional District of Okanagan-Similkameen (RDOS) in the Okanagan. Xylem Canada Company have other installations within Western Canada and the largest single installation with Metro Vancouver at the Seymour-Capilano Filtration Plant. Xylem is an experienced credible vendor in the Western Canada drinking water treatment market.

Subsequent to receiving the original proposals items were clarified within the Xylem Canada Company submission. The clarification items are:

- The Xylem reactor is provided with 700 mm diameter flanges. This is not a standard size in Canada, so a \$30,000 CAN credit was offered from Xylem Canada Company to cover the cost of fabricating the transition spools. Written confirmation of the credit was provided on September 21, 2020 by Xylem Canada Company.

- There were several commercial exceptions within the original Xylem Canada Company proposal. During subsequent discussion the commercial exceptions were all dropped. Agreement that Xylem Canada Company agreed with all the commercial terms was provide in writing on July 1, 2020.

A detailed evaluation of the submission from Xylem Canada Company was completed with the results attached to this letter.

### 3. Conclusion and Recommendations

The following conclusions and recommendations are:

- Xylem Canada Company is a credible UV disinfection vendor with technical support and successful references in Western Canada.
- The Xylem Canada Company offers the City the lowest capital cost by \$ 103,300.20. Additionally, given the Xylem equipment uses low pressure UV technology, this proposal also offers the lowest annual operating cost.
- The lowest life cycle cost UV disinfection equipment option and the equipment that offers the highest benefit to cost score is the Spektron 4000e reactor from Xylem Canada Company.
- The City should accept the credit in the amount of \$ 30,000 CAN to fabricate the 700 x 750 mm diameter reducers. This is required to connect the 700 mm diameter reactor to the standard 750 mm diameter process piping.
- Xylem Canada Company can meet the requirements of the project schedule.
- The City notifies Xylem Canada Company immediately they were the highest ranked proponent.

We trust the information above is adequate for the City to award the UV Equipment Supply Contract to Xylem Canada Company in the amount of \$ 289,999.80. Please contact the undersigned with any questions, otherwise we assume the notice of award will be issued as soon as possible.

Yours sincerely,



Brett deWynter, P.Eng.  
Water Group, Canada West  
AECOM Canada Ltd.  
T: 250-980-7104  
E: brett.dewynter@aecom.com

*Encl.*

**Rose Valley Water Treatment Plant  
UV Equipment Pre-selection Proposal Review**



Date: December 17, 2020  
Project No.: 60557308  
Rev. 1

**Table 1. Proposal Summary**

|   |   | <u>Xylem Canada</u> |                     | <u>Calgon Carbon</u> |                     |
|---|---|---------------------|---------------------|----------------------|---------------------|
| Category A - Power Consumption                      |   |                     |                     |                      |                     |
| A.1   | Power consumption at 40 ML/day  | 10.01KW             | \$7,015.01          | 9.7 KW               | \$6,797.76          |
| A.2   | Power consumption at 70 ML/day  | 12.14KW             | \$8,507.71          | 15.5 KW              | \$10,862.40         |
| Category B - Supply Costs                           |   |                     |                     |                      |                     |
| B.1   | Equipment Supply (incl all submittals, manuals, etc)                          |                     | \$274,809.00        |                      | \$302,200.00        |
| B.2   | Total Freight/Shipping Costs to Site (CIF to West Kelowna, BC)                |                     | \$24,780.00         |                      | \$28,100.00         |
| B.3   | Field Services & Performance Testing (Section 01650 – Forms 100,101,102, 103) |                     | \$15,209.00         |                      | \$35,300.00         |
| B.4   | Spare Parts for One Year (Table 1-Schedule F)                                 |                     | \$33.80             |                      | \$9,200.00          |
| B.5   | Training (Section 01650 – Form T1, T2)  |                     | \$5,168.00          |                      | \$18,500.00         |
|   | Cost adjustment for the specialized 700 x 750 mm diameter flanges             |                     | -\$30,000.00        |                      | \$0.00              |
| Category C - Replacement costs                      |   | <b>each</b>         | <b>calculated</b>   | <b>each</b>          | <b>calculated</b>   |
| C.1   | Lamp replacement  | \$468.00            | \$7,031.23          | \$2,703.00           | \$14,206.97         |
| C.2   | Wiper Assembly  | \$45.40             | \$726.40            | \$502.00             | \$2,510.00          |
| C.3   | Quartz sleeve   | \$637.00            | \$63.70             | \$684.00             | \$342.00            |
| C.4   | Ballast replacement   | \$1,007.50          | \$201.50            | \$6,052.00           | \$3,026.00          |
| C.5   | UV Sensor   | \$923.00            | \$184.60            | \$1,705.00           | \$1,461             |
|   | Consumable Spares:  | <b>each</b>         | <b>adjusted*</b>    |                      |                     |
|   | Fan Filters   | \$16.90             | \$33.80             |                      |                     |
|   | Wiper Seal  |                     |                     |                      |                     |
|   | Acticlean   |                     |                     |                      |                     |
| Category D - Services                               |   |                     |                     |                      |                     |
| D.1   | Lamp disposal fee   | \$0.00              |                     | \$50.00              |                     |
|   | Will the vendor provide lamp disposal services (Yes/No)                       | Yes                 |                     | No                   |                     |
| Subtotal (A.2, C.1-C.4 (adjusted),D.1) at 40 ML/day |   |                     | \$15,256.24         |                      | \$28,394.16         |
| PST   |   |                     | \$1,067.94          |                      | \$1,987.59          |
| Annual Service Price                                |   |                     | <b>\$16,324.18</b>  |                      | <b>\$30,381.75</b>  |
| PROPOSAL PRICE (excluding GST)                      |   |                     | <b>\$289,999.80</b> |                      | <b>\$393,300.00</b> |
| Net Present Cost                                    |   |                     | <b>\$524,212.47</b> |                      | <b>\$742,988.73</b> |
| Section 00200 - Schedule 3                          |   |                     |                     |                      |                     |
| Additional Field Services                           |   |                     |                     |                      |                     |
| O.1   | Transportation Cost Per Trip  |                     | \$1,005.00          |                      | \$197.50/hr         |
| O.2   | Per Diem Cost for Field Technician's Expenses                                 |                     | \$335.00            |                      | included            |
| O.3   | Per Diem Cost for Field Technician's Time                                     |                     | \$728.10            |                      | \$1,580.00          |

**Rose Valley Water Treatment Plant  
UV Equipment Pre-selection Proposal Review**



Date: December 17, 2020  
Project No.: 60557308

**Table 1. Proposal Summary (Continued)**

|   | <u><b>Xylem Bid</b></u> | <u><b>Calgon Carbon Bid</b></u> |
|---|-------------------------|---------------------------------|
| <b>Section 002000 - Additional Equipment Information</b>                                      |                         |                                 |
| References Provided:  |                         |                                 |
| a) General Experience   | Yes                     | Yes                             |
| b) Specific Experience  | Yes                     | Yes                             |
| c) Operating data to support performance claims   | Yes                     | Yes                             |
| Proponent's Experience Provided   | Yes                     | Yes                             |
| a) Identify manufacturer/primary supplier of Goods  | Yes                     | Yes                             |
| b) Show that manufacturer is regularly engage in design and manufacture of Goods              | Yes                     | Yes                             |
| c) State how long manufacturer has continuously manufactured similar goods                    | Yes                     | Yes                             |
| d) Show that proposed Goods are based on presently existing standard equipment                | Yes                     | Yes                             |
| Quality Assurance and Product Durability  |                         |                                 |
| Manufacturer's Facilities Info Provided:  |                         |                                 |
| a) List location of manufacturing facilities  | Yes                     | Yes                             |
| b) Provide list of possible subcontractors  | Yes                     | No                              |
| c) Provide brief info describing engineering, technical support, and manufacturing staff      | Yes                     | Yes                             |
| Service Support and Maintenance Availability Provided   | Yes                     | Yes                             |
| Closest Service Person  |                         |                                 |
| Testing Equipment Provided  | Yes                     | Yes                             |
| Spare Parts Provided:   |                         |                                 |
| a) Indicate location of facilities of spares and which spares are only available from propone | Yes                     | Yes                             |
| b) Describe the availability of spare parts   | Yes                     | Yes                             |
| c) List recommended stock of spares   | Yes                     | Yes                             |



## INFORMATION ONLY COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 12, 2021

From: Stacey Harding, Parks & Fleet Operations Manager

Subject: **In-House Mowing Program Trial – Year 1**

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### STRATEGIC AREA(S) OF FOCUS

- **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.

### BACKGROUND

In November of 2019, Council was presented with a business case and a staff report recommending that contracted turf mowing for the City's large inventory of parks, sport fields, facility grounds and boulevards be provided in-house.

The business case presented to Council outlined how an in-house model would provide an improved level of service at a reduced cost.

An in-house program would require the hiring of a mowing crew and the purchase of equipment. Council supported staff and the Finance Department supported Parks in acquiring the equipment through a Municipal Finance Authority loan. Our Human Resource team supported Parks by hiring a four (4) person crew.

Note: A 5 person crew was supported by Council, however, a Covid hiring freeze resulted in some belt tightening and the program proceeded with four (4) staff. Park Operations supplemented the mowing crew by adding an additional person.

The in-house program was supported as a 5 year trial with Council requesting annual reporting. Council will recall that the in-house provision of service was to be compared to tendered contract costs. An industry expert suggested the first year of contracted costs to be in the \$425,000 range. The actual low bid came in at \$435,173 with a 2% annual increase. (Approximately \$9,000 increase in years 2 and 3).

By comparison, staff suggested that the in-house model could be provided at approximately \$285,000. It was estimated, at a minimum, the in-house model would result in \$150,000 annual savings with an improved quality of service, given that staff, as part of our community, had a vested interest in their product.



## FINANCIAL RESULTS – YEAR 1 COMPLETE

| Year  | Contracted Costs | In- House Actual or Forecasted Costs | Savings       | Notes   |
|-------|------------------|--------------------------------------|---------------|---|
| 2020  | \$ 435,178       | \$ 230,328.77                        | \$ 204,458.16 | One less crew wages (4) & 7 months loan payment |
| 2021  | \$ 443,881       | \$ 307,059.77                        | \$ 136,821.79 | Full 5 man crew & 12 months loan                |
| 2022  | \$ 452,758       | \$ 311,646.35                        | \$ 141,112.85 | Full 5 man crew & 12 months loan + 2% CoL       |
| Total |                  |                                      | \$ 482,392.80 |   |

The rather dramatic cost reduction in 2020 should be tempered by the following:

- future years will see the employment of a 5<sup>th</sup> staff member, add \$44,000.
- future years will see the full 12 month loan payments as 2020 only had 7 payments, add \$26,000,
- total additional expenses estimated at \$70,000 (these additional costs having been factored into the calculations above),
- the estimated program operational costs such as fuel consumption and tools and supplies overall came in lower than estimated.

## COUNCIL REPORT / RESOLUTION HISTORY

| Date              | Report Topic / Resolution   | Resolution No. |
|-------------------|---|----------------|
| November 26, 2019 | <b>Turf Mowing Equipment</b><br><br><b>THAT</b> the Council of the City of West Kelowna authorizes up to \$365,000 be borrowed, under Section 175 of the <i>Community Charter</i> , from the Municipal Finance Authority, for the purpose of Turf Mowing Program Equipment Purchase; and <b>THAT</b> the loan be repaid within 5 years, with no rights of renewal.<br><br>CARRIED UNANIMOUSLY | C380/19        |

The success of the program may warrant staff looking at other traditionally contracted services to identify other sources of operational savings. Council will again be updated following the 2021 season.

**REVIEWED BY**

Allen Fillion, Director of Engineering & Public Works

Lisa Siavashi, Financial Services Manager/Deputy CFO

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☐ No ☒



*Southern Interior Local  
Government Association*

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December 15, 2020

The SILGA Constitution needed updating and at the December 4<sup>th</sup> SILGA Executive meeting the SILGA board passed the following constitutional amendment resolutions. These resolutions will be debated during the resolutions session at the 2021 SILGA AGM and need to be given to its members 60 days prior to the AGM.

The current constitution can be found on the SILGA website at <https://www.silga.ca/aboutus/constitution/>. If any member requires clarification on a resolution, please contact the SILGA office at 250-851-6653.

**(1) TITLE: SILGA Constitution –Section 2 – Purposes**

**SPONSOR: SILGA**

**WHEREAS** SILGA's scope of purpose has broadened to achieve the associations' goals of "Connect – Educate – Advocate";

**THEREFORE BE IT RESOLVED** that the SILGA Constitution Section 2.34.2 be amended as follows:

- 2.3** to support and advance to the Union of British Columbia Municipalities (UBCM) on behalf of the membership proposed changes in legislation, regulations or Government policy;

**Amended to read:**

to support and advance to the Union of British Columbia Municipalities (UBCM) and/or Provincial Ministries on behalf of the membership proposed changes in legislation, regulations or Government policy;

- 2.4** to coordinate communications between Members and the other Local Government Associations;

**Amended to read:**

to coordinate communications between Members, other Local Government Associations and various governmental organizations;

**(2) TITLE: SILGA Constitution –Section 4 Amendment - Officers**

**SPONSOR: SILGA**

**WHEREAS** SILGA staff is paid as an Independent Contractor with the job title of General Manager;

**THEREFORE BE IT RESOLVED** that the SILGA Constitution Section 4.2 be amended as follows:

- 4.2 The Secretary-Treasurer will be the Executive Director of SILGA, to be employed and paid a salary in an amount and on employment terms and conditions authorized by unanimous decision of the Directors.

**Amended to read:**

The Secretary-Treasurer will be the General Manager of SILGA, to be paid a contracted fee in the amount and on the terms and conditions authorized by the majority of the Directors.

**(3) TITLE: SILGA Constitution –Section 8 Amendment – Meeting of the Members**

**SPONSOR: SILGA**

**WHEREAS** if under Public Health Orders the SILGA convention is unable to be held in person;

**THEREFORE BE IT RESOLVED** that the SILGA Constitution Section 8.2 be amended as follows:

- 8.2 One general meeting shall be held every year in the month of April or May which shall be known as the Annual General Meeting.

**Amended to read:**

- 8.2 One general meeting shall be held every year in the month of April or May which shall be known as the Annual General Meeting. If a virtual Annual General Meeting is deemed necessary by the SILGA board, the SILGA board or staff will choose a third party virtual meeting platform as well as a third party electronic voting platform to allow confidential online voting for all aspects of the Annual General Meeting. Member Representatives will be provided in advance with detailed instructions on how to access the virtual platform and the voting procedures.

**(4) TITLE: SILGA Constitution –Section 10 amendments – Submission of AGM resolutions**

**SPONSOR: SILGA**

**WHEREAS** the SILGA bylaws need to be updated to reflect more clearly the current procedures for submitting and vetting resolutions by member local governments.

**THEREFORE BE IT RESOLVED** that the SILGA Constitution Section 10 be amended as follows:

- 10.2 The President shall appoint a Resolutions Committee of three Members of the Executive at least sixty (60) days prior to the Annual General Meeting.

**Amended to read:**

- 10.2 The President shall appoint a Resolutions Committee of three or more Members of the Executive at least sixty (60) days prior to the Annual General Meeting.

**10.4 Resolutions Submitted Prior to the Annual Meeting**

- (1) Each resolution shall be prepared on a separate sheet of 8½" by 11" paper under the name of the sponsoring Member local government and shall bear a short descriptive title;

**Amended to read:**

Each resolution shall be prepared on the sponsoring Member local government's letterhead and shall bear a short descriptive title;

**10.6 Resolutions Submitted Prior to the Annual Meeting**

The Executive will have resolutions printed and circulated to Member Representatives in the Annual Meeting Member Representatives' packets.

**Amended to read:**

The Executive will have the resolutions available on the SILGA website as well as circulated to Member Representatives via email.



**(5) TITLE: SILGA Constitution Fee Amendment – Appendix A**

**SPONSOR: SILGA**

**WHEREAS** SILGA's membership fees do not have a provision for inflation;

**THEREFORE BE IT RESOLVED** that SILGA request an amendment to the SILGA Bylaws to reflect the following fee structure for each member:

2021 and beyond                      \$300 plus \$0.075 per capita\* with a 2% CPI annual increase

\*based on most recently available Statistics Canada census information