

# CITY OF WEST KELOWNA REGULAR COUNCIL AGENDA

# Tuesday, May 11, 2021, 1:30 P.M. COUNCIL CHAMBERS 2760 CAMERON ROAD, WEST KELOWNA, BC

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# 1. CALL THE REGULAR COUNCIL MEETING TO ORDER

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

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public is currently not permitted to attend Council meetings in person. As an open meeting, it will be webcast live and will be archived on the City's website.

- 2. INTRODUCTION OF LATE ITEMS
- 3. ADOPTION OF AGENDA

# 4. ADOPTION OF MINUTES

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6.1. Chris Laurie, Team President, West Kelowna Warriors Junior Hockey

Club

Proposal for Royal LePage Place Marquee Sign

# 7. UNFINISHED BUSINESS

# 8. DIVISION REPORTS

## 8.1. CHIEF ADMINISTRATIVE OFFICER

## 8.1.1. 2021 UBCM Community Excellence Awards Application

Recommendation:

**THAT** Council consider and resolve to direct staff to submit two applications to the Union of British Columbia Municipalities Community Excellence Awards in the category of Excellence in Service Delivery and Excellence in Sustainability.

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### 8.2. DEVELOPMENT SERVICES

# 8.2.1. P 20-16; Zoning Amendment Bylaw No. 0154.99 (2nd Reading as Amended); Short Term Rental Regulations

Recommendation:

**THAT** Council rescind second reading of Zoning Amendment Bylaw No. 0154.99, 2021; and

**THAT** Council give second reading as amended, to Zoning Amendment Bylaw No. 0154.99, 2021; and

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

### 8.2.2. Z 20-07, Zoning Amendment Bylaw No. 154.95 (3rd Reading), Unaddressed Asquith Road

#### Recommendation:

**THAT** Council give third reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.95, 2020 (File: Z 20-07); and

**THAT** Council direct staff to schedule the bylaw for consideration of adoption following registration of a Section 219 Covenant to secure off-site servicing and infrastructure works as a condition of zoning, including preliminary design and cost estimates to the satisfaction of the City for the following:

Off-site water servicing;

- Off-site sanitary sewer servicing; and
- Off-site storm water improvements.

# 8.2.3. DVP 21-08, Development Variance Permit, 1885 Diamond View Drive

### Recommendation:

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 21-08) for SL 59 DL 4662 ODYD Strata Plan KAS3123 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1885 Diamond View Drive) in general accordance with the attached permit to vary the following sections of Zoning Bylaw No. 0154:

- 10.4.5(g).1 to reduce the minimum private access easement setback from 4.5 m to 0.44 m and from 6.0 m to 2.64 m for a garage having vehicular entry from the front; and
- 10.4.5(g).4 to reduce the minimum exterior side parcel boundary setback from 4.5 m to 3.42 m; and

**THAT** Council deny variances to the following sections of Zoning Bylaw No. 0154:

- 10.4.5(f).1 to increase the height of a Single Detached Dwelling from 3 to 4 storeys; and
- 10.4.6(a) to increase the height of any single building wall from 3 storeys or 9 m to four storeys and 12.4 m for the proposed single detached dwelling.

# 8.2.4. DVP 21-09; Development Variance Permit; 2497 & 2501 Tallus Heights Drive

#### Recommendation:

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 21-09) for Lot 5, DL 3793, ODYD, Plan EPP83661 & Lot 6, DL 3793, ODYD, Plan EPP83661 (2497 & 2501 Tallus Heights Drive) in general accordance with the attached permit to vary Zoning Bylaw No. 0154 as follows:

- Section 3.10.1(a) to permit a fence containing corrugated metal panels in a Residential Zone; and
- Section 3.12.4(a) to increase the maximum height for a fence located on top of a retaining wall from 1.22 m required to 2.0m proposed.

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	8.2.5.	City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw No. 0080.12, 4177 Gellatly Road	113
		Recommendation: THAT Council give first, second and third reading to "City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Amendment Bylaw No. 0080.12, 2021".	
	8.2.6.	Good Neighbour Bylaw – Amendment to Section 10 Compliance Orders	117
		Recommendation: THAT Council gives first, second and third reading to the City of West Kelowna Good Neighbour Amendment Bylaw No. 0151.02, 2021.	
	8.2.7.	Strengthening Communities' Services Application for Funding	124
		Recommendation: THAT Council support the UBCM Application for Strengthening Communities' Services Grant.	
	8.2.8.	Council Appointment of Bylaw Compliance and Enforcement Officer	137
		Recommendation: THAT Council appoint Angelo Stradiotto as a Bylaw Compliance and Enforcement Officer for the City of West Kelowna.	
8.3.	ENGINE	ERING / PUBLIC WORKS / PARKS	
8.4.	FIRE RE	SCUE SERVICES	
	8.4.1.	Spring 2021 Wildfire Mitigation Update	139
		Information Report from the Fire Chief and the Parks and Fleet Operations Manager.	
8.5.	CORPO	RATE INITIATIVES	
8.6.	FINANC	IAL SERVICES / RECREATION AND CULTURE	
	8.6.1.	Tax Rate Bylaw No. 0288, 2021	145

	Recommendation: THAT Council adopt the "City of West Kelowna Tax Rates Bylaw No. 0288, 2021".	
8.6.2.	2021 Transfer Station Parcel Tax Bylaw	153
	Recommendation: THAT Council adopt the "City of West Kelowna Transfer Station Parcel Tax Bylaw No. 0286, 2021".	
8.6.3.	2021 Sterile Insect Release Parcel Tax Bylaw	157
	Recommendation: THAT Council adopt the "City of West Kelowna Sterile Insect Release Parcel Tax Bylaw No. 0285, 2021".	
8.6.4.	2021 RDCO Solid Waste and Recycling Program Parcel Tax Bylaw	161
	Recommendation: THAT Council adopt the "City of West Kelowna RDCO Solid Waste and Recycling Program Parcel Tax Bylaw No. 0287, 2021".	
8.6.5.	2020 Draft Consolidated Financial Statements - Audited	165
	Recommendation: THAT Council accept the 2020 Draft Consolidated Financial Statements for the City of West Kelowna as attached in "Attachment 1".	
CORRESPON	DENCE AND INFORMATION ITEMS	
NOTICE OF M	OTION	
ADJOURNME	NT OF THE REGULAR MEETING	
The next Comr	mittee of the Whole meeting is scheduled for 3:00 p.m., Tuesday,	

May 18, 2021.

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The next Council meeting is scheduled for 6:00 p.m., Tuesday, May 25, 2021.



# CITY OF WEST KELOWNA

# MINUTES OF THE SPECIAL MEETING OF COUNCIL

# Tuesday, April 20, 2021 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 (arrived at 3:35 p.m.)
	Councillor Carol Zanon
	Councillor Jayson Zilkie
Staff Present:	Paul Gipps, CAO
	Warren Everton, Director of Finance / CFO
	Jason Brolund, Fire Chief
	Sandy Webster, Director of Corporate Initiatives
	Michelle Reid, Director of Human Resources
	Mark Koch, Director of Development Services
	Brad Savoury, Director of Legal Services
	Shelley Schnitzler, Legislative Services Manager/Corporate Officer
	Kari O'Rourke, Communications Manager

# 1. CALL THE SPECIAL COUNCIL MEETING TO ORDER

The Special Council meeting was called to order at 3:33 p.m.

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

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public was not permitted to attend the Council meeting in person.

# 2. ADDITIONS OR CHANGES TO PROCEDURAL MOTION

# 3. ADOPTION OF AGENDA

It was moved and seconded

Resolution No. C143/21

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

CARRIED UNANIMOUSLY (Councillor Johnston was not present for the vote)

# 4. **PROCEDURAL MOTION**

It was moved and seconded

Resolution No. C144/21

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

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

(g) litigation or potential litigation affecting the municipality;

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

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

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

<u>CARRIED UNANIMOUSLY</u> (Councillor Johnston was not present for the vote)

# 5. ADJOURNMENT OF THE SPECIAL COUNCIL MEETING

The Special Council meeting adjourned at 5:21 p.m.

MAYOR

LEGISLATIVE SERVICES MANAGER/CORPORATE OFFICER



# CITY OF WEST KELOWNA

## MINUTES OF THE REGULAR MEETING OF COUNCIL

# Tuesday, April 20, 2021 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 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 Brad Savoury, Director of Legal Services Brent Magnan, Planning Manager Shelley Schnitzler, Legislative Services Manager/Corporate Officer Lisa Siavashi, Financial Services Manager/Deputy CFO Duncan Dixon, Staff Sgt., RCMP

# 1. CALL THE REGULAR COUNCIL MEETING TO ORDER

The meeting was called to order at 6:00 p.m.

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

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public was not permitted to attend Council meetings in person. As an open meeting, it was webcast live and archived on the City's website.

# 2. INTRODUCTION OF LATE ITEMS

# 3. ADOPTION OF AGENDA

It was moved and seconded

Resolution No. C145/21

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

CARRIED UNANIMOUSLY

# 4. ADOPTION OF MINUTES

4.1 Minutes of the Special Council Meeting held Tuesday, March 30, 2021 in the City of West Kelowna Council Chambers

It was moved and seconded

Resolution No. C146/21

**THAT** the minutes of the Special Council Meeting held Tuesday, March 30, 2021 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

# 4.2 Minutes of the Special Council Meeting held Tuesday, April 6, 2021 in the City of West Kelowna Council Chambers

It was moved and seconded

Resolution No. C147/21

**THAT** the minutes of the Special Council Meeting held Tuesday, April 6, 2021 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

# 4.3 Minutes of the Public Hearing held Tuesday, April 6, 2021 in the City of West Kelowna Council Chambers

It was moved and seconded

Resolution No. C148/21

**THAT** the minutes of the Public Hearing held Tuesday, April 6, 2021 in the City of West Kelowna Council Chambers be adopted.

# CARRIED UNANIMOUSLY

# 4.4 Minutes of the Regular Council Meeting held Tuesday, April 6, 2021 in the City of West Kelowna Council Chambers

It was moved and seconded

Resolution No. C149/21

**THAT** the minutes of the Regular Council Meeting held Tuesday, April 6, 2021 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

# 4.5 Minutes of the Special Council Meeting held Wednesday, April 14, 2021 in the City of West Kelowna Council Chambers

It was moved and seconded

Resolution No. C150/21

**THAT** the minutes of the Special Council Meeting held Wednesday, April 14, 2021 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

# 5. MAYOR AND COUNCILLOR'S REPORTS

The Mayor acknowledged National Volunteer Week and gave recognition and thanks to all volunteers within our community.

The Fire Chief provided a brief update on the status of the apartment evacuation on Elliott Road and thanked all staff and agencies that assisted.

#### 5.1 Mayor Milsom

# 5.1.1 Regional District of Central Okanagan Highlights from the April 8, 2021 Regional Board Meeting

# 6. DELEGATIONS

6.1 Erin Welk, Social and Economic Inclusion Lead, Urban Matters

Ms. Welk provided an update on the Community Action Initiative – Harm Reduction Program.

# 7. UNFINISHED BUSINESS

### 8. DIVISION REPORTS

## 8.1 CHIEF ADMINISTRATIVE OFFICER

# 8.1.1 West Kelowna's City Hall Project Update – April 2021

The CAO provided an update on the West Kelowna City Hall Project.

### 8.1.2 2021 Department Statistics – 1st Quarter

Information Report from the CAO

### 8.2 FINANCIAL SERVICES / RECREATION AND CULTURE

#### 8.2.1 Adoption of the 2021-2025 Financial Plan

It was moved and seconded

Resolution No. C151/21

**THAT** Council adopt the "City of West Kelowna Financial Plan Bylaw 0284, 2020" with the tax increase set at 4.05%, which will result in a tax requisition of \$36,559,184.

CARRIED; Councillors de Jong and Findlater opposed

## 8.2.2 2021 Tax Rate Bylaw No. 0288, 2021

It was moved and seconded

Resolution No. C152/21

THAT Council adopt the tax multiplier schedule as presented; and

**THAT** Council give first, second and third reading to "City of West Kelowna Tax Rates Bylaw No. 0288, 2021".

CARRIED UNANIMOUSLY

# 8.2.3 2021 Transfer Station Parcel Tax Bylaw

It was moved and seconded

Resolution No. C153/21

**THAT** Council give first, second and third readings to the "City of West Kelowna Transfer Station Parcel Tax Bylaw No. 0286, 2021".

#### CARRIED UNANIMOUSLY

## 8.2.4 2021 Sterile Insect Release Parcel Tax Bylaw

#### It was moved and seconded

Resolution No. C154/21

**THAT** Council give first, second and third readings to the "City of West Kelowna Sterile Insect Release Parcel Tax Bylaw No. 0285, 2021".

CARRIED UNANIMOUSLY

### 8.2.5 2021 RDCO Solid Waste and Recycling Program Parcel Tax Bylaw

It was moved and seconded

Resolution No. C155/21

**THAT** Council give first, second and third readings to the "City of West Kelowna RDCO Solid Waste and Recycling Program Parcel Tax Bylaw No. 0287, 2021".

CARRIED UNANIMOUSLY

#### 8.3 CORPORATE INITIATIVES

#### 8.3.1 Council's 2021 – 2022 Strategic Priorities

It was moved and seconded

Resolution No. C156/21

**THAT** Council adopt its 2021 – 2022 Strategic Priorities document as attached.

#### CARRIED UNANIMOUSLY

#### 8.3.2 Police Services Update and 2021 Police Services Priorities

It was moved and seconded

Resolution No. C157/21

THAT Council receive this Police Services update for information; and

**THAT** Council adopt the 2021 Police Services Priorities identified by Council and reflected in this report.

CARRIED UNANIMOUSLY

The meeting recessed at 7:24 p.m.

The meeting reconvened at 7:34 p.m.

### 8.4 DEVELOPMENT SERVICES

# 8.4.1 Z 20-05; Zoning Amendment Bylaw No. 0154.100 (Options); 2485 Hayman Road

It was moved and seconded

Resolution No. C158/21

**THAT** Council rescind first and second readings of City of West Kelowna Zoning Amendment Bylaw No. 0154.100, 2021 (File: Z 20-05); and

THAT Council direct staff to close file Z 20-05.

CARRIED UNANIMOUSLY

# 8.4.2 Z 21-01; Zoning Amendment Bylaw No. 0154.103, 2021 (1st and 2nd Reading); 2377 Thacker Drive

It was moved and seconded

Resolution No. C159/21

**THAT** Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.103, 2021 (File: Z 21-01); and

**THAT** Council direct staff to schedule a Public Hearing for the proposed Zoning Amendment Bylaw.

CARRIED UNANIMOUSLY

#### 8.4.3 DVP 21-03; Development Variance Permit; 1526 Scott Crescent

It was moved and seconded

Resolution No. C160/21

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 21-03) for Lot 5 District Lot 3866 ODYD Plan 24396 (1526 Scott Crescent) to convert an existing structure to a carriage house by varying Zoning Bylaw No. 0154 as follows:

- S3.26.11 to permit a roof top deck
- S10.4.5(g).1 to reduce the required setback from 6.0 m to 0.35 m from a private access easement
- S10.4.6(b) to increase the maximum height of the carriage house wall from 6.5 m to 7.6 m from grade to the lower surface of the eave.

CARRIED UNANIMOUSLY

# 8.4.4 Fees and Charges Bylaw – Amendment to the Excessive Nuisance Abatement Fees

It was moved and seconded

Resolution No. C161/21

**THAT** Council adopt City of West Kelowna Fees and Charges Amendment Bylaw No. 0028.70, 2021.

CARRIED UNANIMOUSLY

#### 8.4.5 Municipal Natural Assets Initiative (MNAI) Natural Asset Inventory

Michelle Molnar provided an overview of the Municipal Natural Assets Initiative (MNAI) Natural Asset Inventory.

#### 8.4.6 Post Public Hearing Procedural Options

Information Report from the Development Technician

# 8.5 ENGINEERING / PUBLIC WORKS / PARKS

#### 8.6 FIRE RESCUE SERVICES

# 9. CORRESPONDENCE AND INFORMATION ITEMS

#### 10. NOTICE OF MOTION

# 11. ADJOURNMENT OF THE REGULAR MEETING

The meeting adjourned at 9:16 p.m.

MAYOR

LEGISLATIVE SERVICES MANAGER/CORPORATE OFFICER



# CITY OF WEST KELOWNA

# MINUTES OF THE SPECIAL MEETING OF COUNCIL

# Tuesday, April 27, 2021 COUNCIL CHAMBERS AND VIA ELECTRONIC MEANS 2760 CAMERON ROAD, WEST KELOWNA, BC

MEMBERS PRESENT:	Mayor Gord Milsom Councillor Rick de Jong Councillor Doug Findlater Councillor Jason Friesen Councillor Carol Zanon Councillor Jayson Zilkie (arrived at 2:03 p.m.)
MEMBER ABSENT:	Councillor Stephen Johnston
Staff Present:	Paul Gipps, CAO Allen Fillion, Director of Engineering / Public Works Jason Brolund, Fire Chief Sandy Webster, Director of Corporate Initiatives Michelle Reid, Director of Human Resources Mark Koch, Director of Development Services Brad Savoury, Director of Legal Services Shelley Schnitzler, Legislative Services Manager/Corporate Officer

# 1. CALL THE SPECIAL COUNCIL MEETING TO ORDER

The Special Council meeting was called to order at 2:01 p.m.

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

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public was not permitted to attend the Council meeting in person.

# 2. ADDITIONS OR CHANGES TO PROCEDURAL MOTION

# 3. ADOPTION OF AGENDA

It was moved and seconded

Resolution No. C162/21

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

CARRIED UNANIMOUSLY (Councillor Zilkie was not present for the vote)

# 4. **PROCEDURAL MOTION**

It was moved and seconded

Resolution No. C163/21

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

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

CARRIED UNANIMOUSLY (Councillor Zilkie was not present for the vote)

# 5. ADJOURNMENT OF THE SPECIAL COUNCIL MEETING

The Special Council meeting adjourned at 3:01 p.m.

MAYOR

LEGISLATIVE SERVICES MANAGER/CORPORATE OFFICER



# The Board Reports

Regional District of Central Okanagan 1450 KLO Rd., Kelowna, BC, V1W 3Z4 Phone: 250-763-4918 rdco.com facebook.com/regionaldistrict cordemergency.ca info@rdco.com

# Highlights of the Regional Board meeting – April 26, 2021

#### **Financial Plan amendments**

The Regional Board approved two bylaws amending the 2020-2024 and 2021-2025 Financial Plans. The amendments reflect the receipt of grant funding and the transfer of unused Community Works Funds and the COVID Restart Grants received in 2020 and 2021 to reserves. In addition, \$8,000 of COVID Restart Grant funds is approved to fund payroll software with improved tracking features.

#### **Proposed Voting Unit adjustment**

The Regional Board supports asking the Provincial Government to consider a change in the Voting Unit structure. The number of directors and voting strength of each is based on population and the voting unit is specified in the Letters Patent for the Regional District. After consulting with each local government it's suggested that the currently assigned Voting Unit value of 4,000 people be increased to 5,500. If approved by the Province, this change would take effect following the 2022 local election and see the City of Kelowna with six of 12 voting Board Directors.

#### **Regional Growth Strategy Review**

The Regional Board has determined that the Regional Growth Strategy remains relevant and does not need to be revisited. The Local Government Act requires the Regional Board to consider whether a review is needed after five years. Consultations with each local member government, stakeholders and the public also indicates that a review is not warranted.

#### **Development Approvals Grant Application**

The Regional Board approves submitting a grant application to the Union of BC Municipalities Local Government Development Approvals program. The program provides funding to implement best practises and supports innovative approaches to improve the development approval process. If successful, the grant would assist with creation and updating of internal procedures, improve information technology use and identify opportunities for greater efficiency and effectiveness of the current development approval process.

#### **Planning Applications Considered**

The Regional Board has considered the following planning applications:

- 2<sup>nd</sup> and 3<sup>rd</sup> readings for Zoning Amendment Bylaw No. 871-264 (Application Z20/06) at 4379 Black Road (M Basra, owner) – to rezone the property to allow a secondary suite within a single detached house under construction within the Agricultural Land Reserve. Final adoption will be considered following receipt of a registered covenant.
- 2<sup>nd</sup> and 3<sup>rd</sup> readings for Joe Rich Rural Land Use Bylaw No. 1195-24 (Application RLUB-20-02) for 8991 Highway 33 East (P & K Bartha, owners) to amend the land use designation to allow a secondary suite within an existing single detached house. Final adoption will be considered following bylaw approval by the Ministry of Transportation and Infrastructure.
- Floodplain Exemption Application (FEX-20-01), Development Variance Permit Application (VP-20-03), Development Permit Application (DP-20-08) for 2223 Westside Road (Maloney Construction Ltd., owner) These applications for construction of a new dwelling and servicing adjacent to Okanagan Lake are not supported as the proposed development is within the Okanagan Lake flood setback.

#### **Regional Board meetings**

Regional District office – 1450 KLO Road, Kelowna (Woodhaven Boardroom) – No public attendance allowed with health orders on public gatherings

- Thursday, May 13 8:30 a.m. following Governance & Services Committee meeting
- Monday, May 31 7 p.m.

#### Live/Recorded meeting video

When a meeting begins, a Live Stream Video link will be available for that meeting in the Upcoming Meeting agenda section of the rdco.com website. 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

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

# **Bye Bye Kokanee Fry!**



#### Become a Kokanee Ambassador

Join us on Zoom and discover the life cycle of Kokanee salmon and the journey from egg to fry! Learn about what spring means for the salmon fry and how you can help.

After the program, participants will be given the opportunity to secure a spot to release a Kokanee salmon fry on May 8 or 9 at Mission Creek Regional Park. Spaces are limited!

To register for the program and become a Kokanee ambassador: rdco.com/parkevents Online Zoom Program Thursday, May 6 7pm–8pm

Free

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

# **Shelley Schnitzler**

From:	noreply@esolutionsgroup.ca
Sent:	April-27-21 4:17 PM
То:	Delegation Requests
Subject:	New Response Completed for Request to Appear As a Delegation

Hello, Please note the following response to Request to Appear As a Delegation has been submitted at Tuesday April 27th 2021 4:17 PM with reference number 2021-04-27-005.

- Request to appear as a delegation on: 5/11/2021
- Name of person making the presentation: Chris Laurie
- Name of the group or organization that the person is representing: West Kelowna Warriors
- Daytime phone number:
- Email address: chris.laurie@westkelownawarriors.com
- Presentation title:
  Proposal for Royal Lepage Place Marquee Sign
- What is your request to Council?

Seeking preliminary approval to review and plan for the erection of a marquee sign for Royal Lepage Place and the City of West Kelowna on the Hwy 97 and Bartley Road.

- Presentation points:
  - -Purpose and Benefits
  - -Analysis
  - -Location
  - -Rendering & Specifications
  - -Financial Implications

[This is an automated email notification -- please do not respond]



To: City of West Kelowna From: West Kelowna Warriors Junior Hockey Club Subject: MARQUEE SIGN FOR ROYAL LEPAGE PLACE Date: March 5, 2021

# RECOMMENDATION

That the City of West Kelowna provide preliminary approval to review and plan for the erection of a marquee sign for Royal Lepage Place on the corner of Hwy 97 and Bartley Road, West Kelowna.

# PURPOSE

It is quite common for municipal events facilities, like Royal Lepage Place, to have signage on nearby thoroughfares to increase the profile of the facility and promote the events held within. We believe a significant presence on Highway 97 will increase the awareness of the 1500-seat Royal Lepage Place, as well as provide the opportunity to communicate relevant messaging of upcoming community events and drive more patrons to the facility. Currently, Royal Lepage Place is tucked in between Jim Lind arena and Mt Boucherie, with no signage on the highway and undersized signage on Ross Road. Residents and visitors, who are not actively using the ice sheets, may not be aware of Royal Lepage Place and the events/activities it hosts. Furthermore, Kelowna Royal Lepage brokerage contributes significant funds annually for the facility naming rights and a marquee sign would further cement this financial commitment to the City of West Kelowna.

# ANALYSIS

Highway 97 through West Kelowna has significant volume of daily traffic. According to BC Ministry of Transportation data, in 2019, a daily average of 59,196 vehicles crossed Lake Okanagan bridge. The impact of a marquee sign on Highway 97 would be substantial. In preliminary discussions with city planning, we have identified a potential sign location on the greenspace located on the corner of Hwy 97 and Bartley Rd. The City currently maintains this land and it offers plenty of space for a safe installation.



# PRELIMINARY RENDERING (Exact location not accurate)



# SPECIFICATIONS

- Overall Dimensions 24' high X approx. 8' wide
- Double-faced LED electronic message center (10' wide X 5'8 high)
- Illuminated double-faced display with "Royal Lepage Place" and "City of West Kelowna identification."
- Concrete footings

# FINANCIAL IMPLICATION

We estimate an approximate budgeted cost of \$60,000 to \$75,000. Warriors ownership would be open to exploring subsidizing a portion of these costs as we believe it will help increase attendance at our home games. However, given the residual benefits for City and the naming rights partner, we are asking for financial support on this project.

# SUMMARY

We ask that the City of West Kelowna join us in the initial planning of a Highway 97 Marquee sign. The hope is that at the conclusion of the COVID-19 pandemic, we can leverage the sign for greater facility awareness, naming rights partner exposure, and increased customers at events.

Thank you for your consideration,

Chris Laurie Team President West Kelowna Warriors Junior Hockey Club



**COUNCIL REPORT** 

To: Mayor and Council

Date: May 11, 2021

From: Paul Gipps, CAO

# Subject: 2021 UBCM Community Excellence Awards Application

### RECOMMENDATION

**THAT** Council consider and resolve to direct staff to submit two applications to the Union of British Columbia Municipalities Community Excellence Awards in the category of Excellence in Service Delivery and Excellence in Sustainability.

# BACKGROUND

West Kelowna's Recreation department is applying for the category Excellence in Service Delivery. When COVID-19 ramped up in spring 2020 Recreation facilities across the province were being shut down. There was no clear direction nor timelines as to when recreation facilities would reopen again. In collaboration with the Province, the City of West Kelowna staff took a proactive, leadership role working closely with organizations including the BC Recreation and Parks Association and Via Sport to develop a reopening plan. This plan put policies and procedures in place to allow facilities to safely reopen to program participants, players, coaches, trainers and staff.

We believe the City of West Kelowna's provincially impactful efforts on behalf of our community were used as a template in other municipalities to return service to their communities.

West Kelowna's Development Services department is also applying for an excellence award under the category "Excellence in Governance". The West Kelowna Community Vision, OurWK program is being submitted in this category.

Throughout the OurWK project, the team completed numerous successful virtual events during the pandemic seeing record numbers of participants provide input into developing the City's first ever community Vision.

The Vision, created largely in part by the input received through 2 periods of engagement over the 8 month program was a reflection of our community's values, interests, and ideas for the future. The OurWK Vision is the first of its kind for West Kelowna and provides clear guidance for the community for the next 20 years.

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# CONCLUSION

The application must include a Council resolution indicating support for our submissions to the UBCM, therefore we are seeking Council's consideration.

Powerpoint: Yes  $\Box$  No  $\boxtimes$ 



**COUNCIL REPORT** 

To: Paul Gipps, CAO

Date: May 11, 2021

From: Hailey Rilkoff, Planner II

File No: P 20-16

# Subject: P 20-16; Zoning Amendment Bylaw No. 0154.99 (2nd Reading as Amended); Short Term Rental Regulations

# RECOMMENDATION

**THAT** Council rescind second reading of Zoning Amendment Bylaw No. 0154.99, 2021; and

**THAT** Council give second reading as amended, to Zoning Amendment Bylaw No. 0154.99, 2021; and

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

# STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity – Policies and advocacy to enhance economic prosperity; Continued growth in tourism.

# BACKGROUND

On April 6th, 2021, Council received a report which provided additional information and clarification on the items raised at the Public Hearing on Zoning Amendment Bylaw No. 0154.99, 2021 regarding short term rental regulations. Council made several resolutions in order to direct staff on the next steps in developing regulations for short term rentals. The result of the decision points that pertain to the Zoning Bylaw Amendments have been incorporated in the amended Zoning Amendment Bylaw No. 0154.99, 2021 (*Attachment 1*) for Council's consideration.

#### DISCUSSION

Decision Points Follow Up

Regulations

## Principal Residence Requirement

The operator of a short term accommodation must be the principal resident of the property with a short term accommodation. A definition of principal residence has been added to the Zoning Bylaw as follows:

**PRINCIPAL RESIDENCE** means the usual place where an individual makes their home and conducts daily affairs, like paying bills and receiving mail, for the majority of the year.

When applying for their business licence, the operator of a short term accommodation will be required to confirm that the property is their principal residence. This will be confirmed by the operator providing a minimum of two supporting documents<sup>1</sup>. More details on the Business Licencing and Regulation Bylaw amendments will be prepared following the Public Hearing for the Zoning Bylaw amendments, however a proposed draft of the anticipated regulations is included as *Attachment 2*.

### Hosted Short Term Accommodations

It is understood that Council wishes there to be a high degree of interaction between operators of short term accommodations and their guests, but also wishes to provide flexibility for operators to be off-site occasionally. This has been accommodated through the amended definition which reads as (<u>emphasis</u> added):

**SHORT TERM ACCOMMODATION** means <u>the use of a principal residence for</u> <u>visitor accommodation where the operator hosts guests</u> within a single detached dwelling, secondary suite or carriage house.

This definition clearly identifies the intention that all short term accommodations are hosted in order to minimize negative neighbourhood impacts. Further clarification will be included within the Business Licencing and Regulation Bylaw amendments for short term accommodations that provide flexibility in the expectations of hosted short term accommodations. This will include the following two definitions in addition to regulations for business licencing:

**HOSTED SHORT TERM ACCOMMODATION** means a short term accommodation where there is interaction between the operator or their local contact and guests during operation. The operator or local contact must be available to respond to any nuisance complaints at all times during operation of the short term accommodation.

**LOCAL CONTACT** means a person designated as an alternate host for a short term accommodation by the operator. The local contact must be available to respond to any nuisance complaints if the operator is unavailable.

<sup>&</sup>lt;sup>1</sup> Provincial Home Owners Grant, Drivers Licence, Utility Bills, Tax Forms, Vehicle Registration, Insurance Forms or Government Records.

One of the proposed regulations within the Business Licencing and Regulation Bylaw is to require the operator, or local contact, to respond or attend at the property within 2 hours of being requested to do so. This will ensure that either the operator or local contact will always be reasonably available to address nuisance complaints quickly if requested by the City.

## Secondary Suites and Carriage Houses

The Zoning Amendment Bylaw has been amended to permit short term accommodations within either a single detached dwelling, secondary suite or carriage house. The regulation has been drafted to only permit one dwelling per property to be used as a short term rental.

### Bed and Breakfasts

Section 3.17 of the Zoning Bylaw regulating the use of Bed and Breakfast will remain and there will be no changes to the regulations, except to clarify that a property with a bed and breakfast cannot also operate a short term accommodation. A new section has been drafted specifically for the short term accommodation regulations within Part 3 - General Regulations of the Zoning Bylaw.

### Terminology and Definitions

The terminology originally proposed of Minor and Major Short Term Rentals have been consolidated into one definition for Short Term Accommodation.

#### Parking Requirements

The parking requirements for a short term accommodation will remain at one space per one or two bedrooms rented, and two spaces for three or four bedrooms rented. This will be included within Part 4 – Off-Street Parking and Loading Regulations within the Zoning Bylaw in Table 4.1 Required Parking Spaces as follows:

USE	NUMBER OF REQUIRED PARKING SPACES
Short Term	1.0 per 1 or 2 bedrooms
Accommodation	2.0 per 3 or 4 bedrooms

# NEXT STEPS

If Council rescinds second reading and re-reads second reading as amended to Zoning Amendment Bylaw No. 0154.99, a Public Hearing will be scheduled.

Bylaw amendments will be drafted to regulate the operation, licencing and enforcement of short term rentals for Councils consideration of first, second and third readings, to be considered following the Public Hearing. These will be considered concurrently with third reading of the Zoning Amendment Bylaw.

Approval from the Ministry of Transportation and Infrastructure will be required prior to adoption of the Zoning Amendment Bylaw.

# **COUNCIL REPORT / RESOLUTION HISTORY**

Date	Report Topic / Resolution	Resolution No.
April 6, 2021	<b>THAT</b> Council direct staff to require all short term rentals to be principal residences.	C132/21
	<b>THAT</b> Council direct staff to revise the regulations to require all short term rentals to be hosted.	C133/21
	<b>THAT</b> Council direct staff to revise the regulations in order to permit short term rentals on properties with secondary suites and carriage houses.	C134/21
	<b>THAT</b> Council direct staff to keep the existing regulations for Bed and Breakfasts within the Zoning Bylaw.	C135/21
	<b>THAT</b> Council direct staff to revise the minor and major terminology proposed for short term rentals.	C136/21
	<b>THAT</b> Council direct staff to revise the layout for parking requirements to show .5 parking spaces per bedroom in a table format.	C137/21
	<b>THAT</b> Council direct staff to bring the concept of a license cap back for Council consideration after the initial intake period is over.	C138/21
March 16, 2021	Public Hearing	
February 23, 2021	<b>THAT</b> Council give first and second reading to the "City of West Kelowna Zoning Amendment Bylaw No. 0154.99, 2021"; and <b>THAT</b> Council direct staff to schedule a public hearing.	C092/21
January 26, 2021	Information Update for Council on Short Term Rental Engagement Results	
November 24, 2020	<b>THAT</b> Council direct staff to further engage the community and stakeholders on the proposed Short Term Rental program as outlined in this report.	C300/20
September 29, 2020	Council provided direction to staff that short term rentals be regulated, and that the creation of	

P 20-16; Zoning Amendment Byla Part O 354 9 (38 Reading as Amended); Short Term Rental Regulations

	regulations for short term rentals be done through the review of regional practices and consultation with both stakeholders and the public. Council's direction followed the decision points presented to Council.	
September 17, 2019	<b>THAT</b> Council direct staff to investigate and report back to Council regarding Air BnB and short term rentals in West Kelowna within the next 6 months.	C327/19

### **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  $\boxtimes$  No  $\square$ 

#### Attachments:

- 1. Zoning Amendment Bylaw No. 0154.99, 2021
- 2. Redlined Zoning Bylaw Changes
- 3. Proposed Short Term Accommodation Regulations Overview



#### CITY OF WEST KELOWNA

#### **BYLAW NO. 0154.99**

#### A BYLAW TO AMEND "ZONING BYLAW NO. 0154"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" under the provisions of the *Local Government Act*.

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

1. <u>Title</u>

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.99, 2021".

2. <u>Amendments</u>

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

2.1 By adding to Part 2 – Interpretation, Section 2.8 Definitions in appropriate alphabetical order the following:

**PRINCIPAL RESIDENCE** means the usual place where an individual makes their home and conducts daily affairs, like paying bills and receiving mail, for the majority of the year.

**SHORT TERM ACCOMMODATION** means the use of a principal residence for visitor accommodation where the operator hosts guests within a single detached dwelling, secondary suite or carriage house.

2.2 By deleting the subsection 3.3.1(b) in its entirety and replacing it with the following:

"Vacation rentals other than bed and breakfasts, short term accommodations, agritourism accommodations, and the use of resort apartments and resort townhouses."

2.3 By adding to section 3.17 the following:

.9 A bed and breakfast is not permitted on a parcel that contains a short term accommodation.

- 2.4 By adding to Part 3 General Regulations the following as Section 3.27:
  - 3.27 Short Term Accommodations
  - .1 A short term accommodation use shall only be conducted within a single detached dwelling, secondary suite or carriage house.
  - .2 An occupant of the property shall be the operator of the short term accommodation. For certainty an occupant shall be a principal resident of the property. Page 32 of 198

- .3 In the case of a property containing a single detached dwelling with an approved secondary suite or approved carriage house, only one dwelling may be used for the purpose of a short term accommodation.
- .4 No more than two adults may occupy a bedroom and no more than four bedrooms are permitted to be used for a short term accommodation.
- .5 Bedrooms shall only be rented for periods of less than one month.
- .6 A short term accommodation is permitted to have no more than one non-internally illuminated sign to a maximum size of 0.3 m<sup>2</sup> that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m from any parcel boundary.
- .7 There shall be no exterior indication that a short term accommodation is in operation on any parcel, except for permitted signage and required parking.
- .8 A short term accommodation shall not be permitted without connection to a community sewer system unless:
  - (a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.
- .9 A short term accommodation is not permited on a parcel that contains a bed and breakfast.
- 2.5 By replacing subsection 3.20.5 in its entirety and replacing it with the following:

"When a bed and breakfast or short term accommodation is located on the same parcel as an agri-tourism accommodation, the total number of guest rooms permitted on the parcel is the number specified in Table 3.9."

2.6 Amending Table 4.1 – Required parking spaces in Section 4.4 adding a new section for Short Term Accommodation in its appropriate location that reads as follows:

Short term accommodation	1 per one or two bedrooms;
	2 per three or four bedrooms

2.7 By adding to section 8.1.3 in appropriate alphabetical order, the following:

"Short term accommodation"

2.8 By adding to Section 9.1.3 in appropriate alphabetical order, the following:

"Short term accommodation"

2.9 By adding to Section 9.2.3 in appropriate alphabetical order, the following:

"Short term accommodation"

2.10 By adding to Section 9.3.3 in appropriate alphabetical order, the following:

"Short term accommodation"

2.11 By adding to Section 9.4.3 in appropriate alphabetical order, the following:

"Short term accommodation"

2.12 By adding to Section 9.5.3 in appropriate alphabetical order, the following:

"Short term accommodation"

2.13 By deleting Section 10.4.3(b) and adding to Section 10.4.3 in appropriate alphabetical order, the following:

"Short term accommodation"

2.14 By adding to Section 10.6.3 in appropriate alphabetical order, the following:

"Short term accommodation"

2.15 By adding to Part 14 CD1 – Westlake section CD-1(E).1 in appropriate alphabetical order, the following:

"Short term accommodation"

READ A FIRST AND SECOND TIME THIS 23<sup>RD</sup> DAY OF FEBRUARY, 2021 PUBLIC HEARING HELD READ A THIRD TIME THIS APPROVED BY THE MINISTRY OF TRANSPORTATION THIS ADOPTED THIS

MAYOR

CITY CLERK

# PART 2 – INTERPRETATION



# 2.8 **DEFINITIONS**

**PRINCIPAL RESIDENCE** means the usual place where an individual makes their home and conducts daily affairs, like paying bills and receiving mail, for the majority of the year.

**SHORT TERM ACCOMMODATION** means the use of a principal residence for tourist accommodation where the operator hosts guests within a single detached dwelling, secondary suite or carriage house.

# PART 3 – GENERAL REGULATIONS

# 3.3 PROHIBITED USES AND STRUCTURES

- .1 The following uses are prohibited in every zone:
  - (a) Outdoor storage of materials beneath electrical power distribution lines; and
  - (b) Vacation rentals other than bed and breakfasts, short term accommodations, agritourism accommodations, and the use of resort apartments and resort townhouses. Vacation rentals other than bed and breakfast uses, agri-tourism accommodations, and the use of resort apartments and resort townhouses.

# 3.17 BED AND BREAKFASTS

.9 A bed and breakfast is not permitted on a parcel that contains a short term accommodation.

# 3.20 AGRI-TOURISM ACCOMMODATION

.5 When a bed and breakfast or short term accommodation is located on the same parcel as an agritourism accommodation, the total number of guest rooms permitted on the parcel is the number specified in Table 3.9. When a bed and breakfast is located on the same parcel as an agri-tourism accommodation, the total number of guest rooms permitted on the parcel is the number specified in Table 3.9.

# 3.27 SHORT TERM ACCOMMODATIONS

- .1 A short term accommodation use shall only be conducted within a single detached dwelling, secondary suite or carriage house.
- .2 An occupant of the property shall be the operator of the short term accommodation. For certainty an occupant shall be a principal resident of the property.
- <u>.3</u> In the case of a property containing a single detached dwelling with an approved secondary suite or approved carriage house, only one dwelling may be used for the purpose of a short term accommodation.
- .4 No more than two adults may occupy a bedroom and no more than four bedrooms are permitted to be used for a short term accommodation.
- .5 Bedrooms shall only be rented for periods of less than one month.
- .6 A short term accommodation is permitted to have no more than one non-internally illuminated sign to a maximum size of 0.3 m<sup>2</sup> that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m from any parcel boundary.
- .7 There shall be no exterior indication that a short term accommodation is in operation on any parcel, except for permitted signage and required parking.
- .8 A short term accommodation shall not be permitted without connection to a community sewer system unless:
  - (a) The parcel receives the written approval of a Registered Onsite Wastewater <u>Practitioner (ROWP) for septic disposal capacity.</u>
- .9 A short term accommodation is not permitted on a parcel that contains a bed and breakfast.
# PART 4 - OFF-STREET PARKING AND LOADING

# 4.4 STANDARD PARKING SPACES

- .1 Number of Spaces
  - (a) The number of required parking spaces is specified in Table 4.1.
  - (b) Where seating accommodation is the basis for a unit of measurement in Table 4.1, each 0.5 m (1.6 ft) of length of benches, pews and similar types of seating shall be deemed to be one seat.

USE	NUMBER OF REQUIRED PARKING SPACES		
RESIDENTIAL AND RESID	RESIDENTIAL AND RESIDENTIAL-RELATED		
Single detached dwelling, modular home, mobile home	2.0 per dwelling unit		
Duplex	2.0 per dwelling unit		
Secondary suite	<ul><li>1.0 per one bedroom dwelling</li><li>2.0 per two or more bedroom dwelling</li></ul>		
Carriage house	<ul> <li>1.0 per one bedroom dwelling</li> <li>2.0 per two or more bedroom dwelling or 91 m<sup>2</sup> (979.5 ft<sup>2</sup>) of gross floor area or greater.</li> </ul>		
Townhouse	2.0 per dwelling unit		
Apartment			
Bachelor or one bedroom	1.0 per dwelling unit		
Two + bedroom	1.5 per dwelling unit		
Congregate housing	0.5 per guest room		
Group home	0.75 per guest room		
Bed and breakfast / Agri- tourism accommodation	1.0 per guest room		
Short term accommodation	1.0 per one or two bedrooms 2.0 per three or four bedrooms		
Home based business	1.0 per employee and 1.0 per client (except a care facility, minor which shall have 1.0 per employee)		
Live/work unit	1.0 per unit		
Caretaker unit	1.0 per unit		

Table 4.1 – Required parking spaces.

# PART 8 – AGRICULTURAL ZONES

# 8.1 AGRICULTURAL ZONE (A1)

#### .1 Purpose

To accommodate agricultural operations and related activities located on parcels that are typically within the Agricultural Land Reserve.

#### .2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Agriculture, intensive
- (c) Brewery, distillery or meadery
- (d) Kennels, service on parcels 4 ha or greater
- (e) Greenhouse or plant nursery
- (f) Mobile home
- (g) Modular home
- (h) Riding stable
- (i) Single detached dwelling
- (j) Winery or cidery

#### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Agricultural worker dwelling
- (c) Agricultural worker dwelling, temporary
- (d) Agri-tourism
- (e) Agri-tourism accommodation
- (f) Bed and breakfast
- (g) Care facility, minor
- (h) Carriage house
- (i) Home based business, major
- (j) Kennels, hobby
- (k) Portable saw mill or shake mill
- (I) Retail sales of farm products or processed farm products
- (m) Secondary suite

(m)(n)Short term accommodation

#### .4 Site Specific Uses, Buildings and Structures

- (a) On Lot 23, DL 486, Plan 761, ODYD (except Plan KAP71035): one additional single detached dwelling
- (b) On Lot A, DL 3796, ODYD, Plan 29609: one additional single detached dwelling
- (c) On Lot 80, DL 1934, Plan 5381, ODYD, except Plan 16601: one additional single detached dwelling

(d) On Lot A, DL 3480, ODYD, Plan KAP67210: Outdoor Storage

	SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	4.0 ha (9.9 ac), except it is:	
(b)	Minimum parcel frontage	2.45 ha (5.73 ac) on the western portion of DL 5075, ODYD, Except Plans 9213 and 12107 30 m (98.4 ft) or 10% of the perimeter of the parcel,	
	DEVELOPMENT REGULATIONS	whichever is less	
(c)	Maximum density:		
.1	Single detached dwelling, mobile home and modular home	Only 1 single detached dwelling or only 1 mobile home or only 1 modular home per parcel	
.2	Agricultural worker dwelling including temporary	Subject to Sections 3.18 and 3.19	
.3	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel	
(d)	Maximum parcel coverage:		
.1	For all uses, buildings and structures other than a greenhouse	35%	
.2	Greenhouse	75% less the parcel coverage of other uses	
(e)	Maximum building height is 15.0 m (49.2 ft) except for the	e following:	
.1	Single detached dwelling and modular home	12.0 m (39.4 ft)	
.2	Agricultural worker dwelling and mobile home	9.0 m (29.5 ft) to a maximum of 3 storeys	
.3	Barn	20.0 m (65.6 ft)	
.4	Accessory buildings and structures	8.0 m (26.2 ft)	
.5	Carriage house	5.0 m (16.4) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking space is provided in the same building	

	SITING REGULATIONS			
(f)		Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:		
-	.1	Front parcel boundary	6.0 m (19.7 ft)	
-	.2	Rear parcel boundary	3.0 m (9.8 ft)	
	.3	Interior side parcel boundary	3.0 m (9.8 ft)	
	4	Exterior side parcel boundary	4.5 m (14.8 ft)	
	5	Watercourses	Subject to Section 3.23	
(g)	(g) Despite 8.1.5(f), the following uses, buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:		e middle column below, that is	
-	.1	Intensive agriculture	30.0 m (98.4 ft)	
-	.2	Buildings housing animals (other than intensive agriculture), kennel, riding stable and greenhouse	15.0 m (49.2 ft)	

.6 Other Regulations - Reserve

# PART 9 – RURAL ZONES

# 9.1. COUNTRY RESIDENTIAL ZONE (RU1)

#### .1 Purpose

To accommodate rural, agricultural and residential uses on parcels of land that are 0.5 ha or greater.

#### .2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Greenhouse or plant nursery
- (c) Modular home
- (d) Single detached dwelling

#### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Bed and breakfast
- (c) Care facility, minor
- (d) Carriage House
- (e) Home based business, major
- (f) Kennel, hobby
- (g) Retail sales of farm products or processed farm products
- (h) Secondary suite

(h)(i) Short term accommodation

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

	SUBDIVISION REGULATIONS			
(a)	Minimum parcel area	0.5 ha (1.2 ac)		
(b)	Minimum parcel frontage	30 m (98.4 ft)		
	DEVELOPMENT REGULATIONS			
(c)	(c) Maximum density:			
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel		
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel		
(d)	(d) Maximum parcel coverage:			
.1	For all uses, buildings and structures other than a greenhouse	20%		
.2	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures		

(e)	Maximum building height is 15.0 m (49.2 ft) except for the following:	
.1	Single detached dwelling and modular home	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Barn	20.0 m (65.6 ft)
.3	Accessory buildings and structures	5.0 m (16.4 ft)
.4	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building
	SITING REGULATIONS	· · · · ·
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	7.5 m (24.6 ft)
.3	Interior side parcel boundary	4.5 m (14.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	A1 Zone or ALR	15.0 m (49.2 ft)
.6	Watercourses	Subject to Section 3.23
(g)	Despite 9.1.5(f), the following uses, buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature from any parcel boundary:	
	Buildings housing animals, kennel and greenhouse	15.0 m (49.2 ft)

## .6 Other Regulations - Reserved

# 9.2. RURAL RESIDENTIAL SMALL PARCEL ZONE (RU2)

#### .1 Purpose

To accommodate rural, agricultural, and residential uses on parcels of land that are 1 ha or greater.

#### .2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Greenhouse or plant nursery
- (c) Modular home
- (d) Single detached dwelling
- (e) Winery or cidery

#### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Agri-tourism
- (c) Agri-tourism accommodation
- (d) Bed and breakfast
- (e) Care facility, minor
- (f) Carriage house
- (g) Home based business, major
- (h) Kennel, hobby
- (i) Secondary suite
- (j) Retail sales of farm products or processed farm products

(j)(k) Short term accommodation

#### .4 Site Specific Uses, Buildings and Structures – Reserved

	SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	1.0 ha (2.5 ac)	
(b)	Minimum parcel frontage	30 m (98.4 ft)	
	DEVELOPMENT REGULATIONS		
(C)	Maximum density:		
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel	
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel	
(d)			
.1	For all uses, buildings and structures other than a greenhouse	10%	
.2	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures	

(e)	Maximum building height is 15.0 m (49.2 ft) except for the following:	
.1	Single detached dwelling and modular home	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Barn	20.0 m (65.6 ft)
.3	Accessory buildings and structures	5.0 m (16.4 ft)
.4	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building.
	SITING REGULATIONS	
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	7.5 m (24.6 ft)
.3	Interior side parcel boundary	4.5 m (14.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	A1 Zone or ALR	15.0 m (49.2 ft)
.6	Watercourses	Subject to Section 3.23
(g)	Despite 9.2.5(f), the following uses, buildings and structures s the distance from the feature indicated in the middle column in the right-hand column opposite that feature from any parce	below, that is indicated
.1	Buildings housing animals, kennel and greenhouse	15.0 m (49.2 ft)

## .6 Other Regulations - Reserved

# 9.3. RURAL RESIDENTIAL MEDIUM PARCEL ZONE (RU3)

#### .1 Purpose

To accommodate rural, agricultural, and residential uses on parcels of land that are 2.0 ha or greater.

#### .2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Greenhouse or plant nursery
- (c) Modular home
- (d) Riding stables
- (e) Single detached dwelling
- (f) Winery or cidery

#### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Agricultural retail sales
- (c) Agri-tourism
- (d) Agri-tourism accommodation
- (e) Bed and breakfast
- (f) Care facility, minor
- (g) Carriage house
- (h) Home based business, major
- (i) Kennel, hobby
- (j) Secondary suite
- (k) Retail sales of farm products or processed farm products

(k)(I) Short term accommodation

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

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	2.0 ha (4.9 ac)
(b)	Minimum parcel frontage	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	Maximum parcel coverage:	
.1	For all uses, buildings and structures other than a greenhouse	10%

.2	Greenhouse	50% of the parcel area, less the parcel coverage of all other uses, buildings and structures
(e)	Maximum building height is 15.0 m (49.2 ft) except for the foll	owing:
.1	Single detached dwelling, agricultural worker dwelling and modular home	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Barn	20.0 m (65.6 ft)
.3	Accessory buildings and structures	5.0 m (16.4 ft)
.4	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building
	SITING REGULATIONS	
(f)	Buildings and structures shall be sited at least the distance for the middle column below, that is indicated in the right-hand c	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	7.5 m (24.6 ft)
.3	Interior side parcel boundary	4.5 m (14.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	A1 Zone or ALR	15.0 m (49.2 ft)
.6	Watercourses	Subject to Section 3.23
(g)	Despite 9.3.5(f), the following uses, buildings and structures distance from the feature indicated in the middle column belo right-hand column opposite that feature from any parcel bour	w, that is indicated in the
.1	Buildings housing animals, kennel and greenhouse	15.0 m (49.2 ft)

## .6 Other Regulations - Reserved

# 9.4. RURAL RESIDENTIAL LARGE PARCEL ZONE (RU4)

#### .1 Purpose

To accommodate rural, agricultural and residential uses on parcels of land that are 4 ha or greater.

#### .2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Agriculture, intensive
- (c) Greenhouse or plant nursery
- (d) Kennel, service on parcels larger than 4 ha
- (e) Modular home
- (f) Riding stable on parcels 2 ha or greater
- (g) Single detached dwelling
- (h) Veterinary clinic
- (i) Winery or cidery

#### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Agricultural retail sales
- (c) Agricultural worker dwelling
- (d) Agri-tourism
- (e) Agri-tourism accommodation
- (f) Bed and breakfast
- (g) Care facility, minor
- (h) Carriage house
- (i) Home based business, major
- (j) Kennel, hobby
- (k) Portable saw mill or portable shake mill
- (I) Secondary suite
- (m) Retail sales of farm products or processed farm products

(m)(n)Short term accommodation

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

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	4.0 ha (9.9 ac)
(b)	Minimum parcel frontage	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
.2	Agricultural worker dwelling	Subject to Section 3.18

.3	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	Maximum parcel coverage:	
.1	For all uses, buildings and structures other than a greenhouse	10%
.2	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures
(e)	Maximum building height is 15.0 m (49.2 ft) except for the foll	lowing:
.1	Single detached dwelling and modular home	12.0 m (39.4 ft)
.2	Agricultural worker dwelling	9.0 m (29.5 ft) to a maximum of 3 storeys
.3	Barn	20.0 m (65.6 ft)
.4	Accessory buildings and structures	8.0 m (26.2 ft)
.5	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building
	SITING REGULATIONS	
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	9.0 m (29.5 ft)
.3	Interior parcel boundary	4.5 m (14.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	A1 Zone or ALR	15.0 m (49.2 ft)
.6	Watercourses	Subject to Section 3.23
(g)	Despite 9.4.5(f), the following uses, buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature from any parcel boundary:	
.1	Intensive agriculture	100.0 m (328.1 ft)
.2	Buildings housing animals (other than intensive agriculture), kennel, riding stable and greenhouse	15.0 m (49.2 ft)

## .6 Other Regulations - Reserved

# 9.5. RURAL RESOURCE ZONE (RU5)

#### .1 Purpose

To accommodate rural, agricultural and residential uses on parcels of land that are 30 ha or greater.

#### .2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Agriculture, intensive
- (c) Greenhouse or plant nursery
- (d) Kennels, service on parcels larger than 4 ha
- (e) Modular home
- (f) Single detached dwelling
- (g) Riding stable on parcels 2 ha or greater
- (h) Veterinary clinic
- (i) Winery or cidery

#### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Agricultural worker dwelling
- (c) Agricultural worker dwelling, temporary
- (d) Agri-tourism
- (e) Agri-tourism accommodation
- (f) Care facility, minor
- (g) Carriage house
- (h) Home based business, major
- (i) Kennel, hobby
- (j) Bed and breakfast
- (k) Portable saw mill or portable shake mill
- (I) Secondary suite
- (m) Retail sales of farm products or processed farm products

(m)(n)Short term accommodation

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

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	30 ha (74.1 ac)
(b)	Minimum parcel frontage	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel

.2	Agricultural worker dwellings, including temporary	Subject to Sections 3.18			
		and 3.19			
.3	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel			
(d)	Maximum parcel coverage:				
.1	For other uses, buildings and structures other than a greenhouse	10%			
.2	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures			
(e)	Maximum building height is 15.0 m (49.2 ft) except for the follow				
.1	Single detached dwelling and modular home	12.0 m (39.4 ft)			
.2	Agricultural worker dwelling	9.0 m (29.5 ft) to a maximum of 3 storeys			
.3	Barn	20.0 m (65.6 ft)			
.4	Accessory buildings and structures	8.0 m (26.2 ft)			
.5	Carriage house	5.0 (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building			
	SITING REGULATIONS				
(f)	Buildings and structures shall be sited at least the distance from the middle column below, that is indicated in the right-hand column				
.1	Front parcel boundary	6.0 m (19.7 ft)			
.2	Rear parcel boundary	10.0 m (32.8 ft)			
.3	Interior side parcel boundary	4.5 m (14.8 ft)			
.4	Exterior side parcel boundary	4.5 m (14.8 ft)			
.5	A1 Zone or ALR	15.0 m (49.2 ft)			
.6	Watercourses	Subject to Section 3.23			
(g)	(g) Despite 9.5.5(f), the following uses, buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature from any parcel boundary:				
.1	Intensive agriculture	100.0 m (328.1 ft)			
.2	Buildings housing animals (other than intensive agriculture), kennel, riding stable and greenhouse	15.0 m (49.2 ft)			

## .6 Other Regulations - Reserved

# PART 10 – RESIDENTIAL ZONES

# **10.4 SINGLE DETACHED RESIDENTIAL ZONE (R1)**

#### .1 Purpose

To accommodate low density single detached residential use on parcels of land that are 550 m<sup>2</sup> and larger.

#### .2 Principal Uses, Buildings and Structures

(a) Single detached dwelling

#### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Bed and breakfast
- (c) Care facility, minor
- (d) Carriage house
- (e) Home based business, major

(f) Secondary suite

(f)(g) Short term accommodation

#### .4 Site Specific Uses, Buildings and Structures

(a) On Lot 1, Plan 44004, DL 581 ODYD, Except Plans KAP48178 & KAP53981: vineyard and one single detached/caretakers residence.

SUBDIVISION REGULATIONS				
(a)	Minimum parcel area	550 m <sup>2</sup> (5,920.2 ft <sup>2</sup> )		
(b)	Minimum usable parcel area	330 m <sup>2</sup> (3,552.1 ft <sup>2</sup> )		
(c)	Minimum parcel frontage	16.0 m (52.5 ft)		
	DEVELOPMENT REGULATIONS			
(d)	Maximum density:			
.1	Single detached dwelling	1 per parcel		
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel		
(e)	Maximum parcel coverage	40%		
(f)	Maximum building height:			
.1	Single detached dwelling	9.0 m (29.5 ft) to a maximum of 3 storeys		
.2	Accessory buildings and structures	5.0 m (16.4 ft)		
.3	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or		

ſ	1	
		6.5 m (21.3 ft) to a
		maximum of 1.5 storeys
		where at least one
		parking stall is provided
		in the same building

	SITING REGULATIONS					
(g)	(g) Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:					
.1	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front				
.2	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)				
.3	Interior side parcel boundary	1.5 m (4.9 ft)				
.4	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side				
.5	A1 Zone or ALR	15.0 m (49.2 ft) except it is 9.0 (24.6ft) if a level 1 buffer is provided.				

#### .6 Other Regulations

- (a) Without limiting the application of the height regulation in Section 10.4.5(f).1, the height of any single building wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 3 storeys or 9 m (29.5 ft).
- (b) Without limiting the application of the height regulation in Section 10.4.5(f).3, the height of any carriage house wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 1.5 storeys and 6.5 m (21.3 ft).
- (c) Despite Section 10.4.5(c), the parcel frontage may be less than 16.0 m (52.5 ft) for parcels on a cul-de-sac provided that the radius of the curvature along the parcel frontage is less than 160 m (524.9 ft) and the arc length along the parcel boundary is at least 12.0 m (39.4 ft) as illustrated in Figure 10.1.



#### .7 Siting Regulations for Approving Subdivisions

- (a) The regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures, and
- (b) The regulations requiring that the siting of a building or structure be determined in relation to the location of a private access easement, if it is closer to the building or structure than the relevant parcel boundary,

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.

# 10.6 LARGE PARCEL SINGLE DETACHED RESIDENTIAL ZONE (R1L)

#### .1 Purpose

To accommodate single detached residential development on parcels of land that are 2,500 m<sup>2</sup> or greater.

#### .2 Principal Uses, Buildings and Structures

- (a) Modular home
- (b) Single detached dwelling

#### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Bed and breakfast
- (c) Care facility, minor
- (d) Carriage house
- (e) Home based business, major
- (f) Secondary suite

(f)(g) Short term accommodation

#### .4 Site Specific Uses, Buildings and Structures – Reserved

	SUBDIVISION REGULATIONS					
(a)	Minimum parcel area	2,500 m <sup>2</sup> (26,909.8 ft <sup>2</sup> )				
(b)	Minimum usable parcel area	330 m <sup>2</sup> (3,552.1 ft <sup>2</sup> )				
(c)	Minimum parcel frontage	30 m (98.4 ft)				
	DEVELOPMENT REGULATIONS					
(d)	Maximum density:					
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel				
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel				
(e)	Maximum parcel coverage	20%				
(f)	Maximum building height:					
.1	Single detached dwelling and modular home	9.0 m (29.5 ft) to a maximum of 3 storeys				
.2	Accessory buildings and structures	5.0 m (16.4 ft)				
.3	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least				

		one parking stall is provided in the same building				
	SITING REGULATIONS					
(g)	Buildings and structures shall be sited at least the distance from					
	the middle column below, that is indicated in the right-hand colu	imn opposite that feature:				
.1	Front parcel boundary or private access easement, whichever is	6.0 m (19.7 ft) except it is				
	closer	6.0 m (19.7 ft) for a garage				
		or carport having vehicular				
		entry from the front				
.2	Rear parcel boundary or private access easement, whichever is	6.0 m (19.7 ft)				
	closer					
.3	Interior side parcel boundary	4.5 m (14.8 ft)				
.4	Exterior side parcel boundary or private access easement,	4.5 m (14.8 ft) except it is				
	whichever is closer	6.0 m (19.7 ft) for a garage				
		or carport having vehicular				
		entry from the exterior side				
.5	A1 Zone or ALR	15.0 m (49.2 ft) except it is				
		9.0 (24.6ft) if a level 1 buffer				
		is provided.				

#### .6 Other Regulations

#### (a) Siting Regulations for Approved Subdivisions

- .1 the regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures, and
- .2 the regulations requiring that the siting of a building or structure be determined in relation to the location of a private access easement, if it is closer to the building or structure than the relevant parcel boundary,

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.

# PART 14 – COMPREHENSIVE DEVELOPMENT ZONES

# CD1 (A-G) – Comprehensive Development Zone (Westlake)

#### CD-1(E) Hillside Housing Single Family

#### 1. <u>Permitted Uses</u>:

- (a) Single detached dwelling
- (b) Home based business, major
- (c) Bed and breakfast
- (d) Care facility, minor
- (e) Secondary Suite

(e)(f) Short term accommodation

Hillside Housing Single Family shall be developed in conformance with the "Compact Single Family Housing" of this zone except:

- (a) The density shall be 12 units per hectare
- (b) The minimum parcel size shall be 835 m<sup>2</sup>
- (c) Minimum frontage of 18.0 m, a reduction in frontage of down to 12.0 m will be permitted on a cul-de-sac provided the minimum arc length along the 6.0 m offset line is 18.0 m.
- (d) There shall be two trees per parcel or per unit which may be comprised of existing trees or new trees. Required trees should have a minimum clear-stem height of 1.5 m for deciduous trees, while coniferous trees should be at least 2.5 m high. The intention is to protect or restore the natural environment in order to screen the development on the hillside.
- (e) Parcels along the top of the ridge to the west of the Village Centre shall have a 10.0 m setback from the area designated "Open Space". One additional coniferous tree shall be planted within this minimum siting distance per each unit facing onto it in order to screen the development.
- (f) A single lane emergency roadway connecting to a main road at each end may be constructed within the 10.0 m minimum siting distance mentioned above. This single lane road will double as a public walkway.





# PROPOSED SHORT TERM ACCOMMODA

File No:P 20-16Subject:Proposed Bylaw Amendments & Regulations (as of April 21, 2021)

## Zoning Bylaw No. 0154

PART 2 – INTERPRETATION

#### 2.8 DEFINITIONS

**PRINCIPAL RESIDENCE** means the usual place where an individual makes their home and conducts daily affairs, like paying bills and receiving mail, for the majority of the year.

**SHORT TERM ACCOMMODATION** means the use of a principal residence for visitor accommodation where the operator hosts guests within a single detached dwelling, secondary suite or carriage house.

#### PART 3 – GENERAL REGULATIONS

#### 3. 27 SHORT TERM ACCOMMODATIONS

- .1 A short term accommodation use shall only be conducted within a single detached dwelling, secondary suite or carriage house.
- .2 An occupant of the property shall be the operator of the short term accommodation. For certainty an occupant shall be a principal resident of the property.
- .3 In the case of a property containing a single detached dwelling with an approved secondary suite or approved carriage house, only one dwelling may be used for the purpose of a short term accommodation.
- .4 No more than two adults may occupy a bedroom and no more than four bedrooms are permitted to be used for a short term accommodation.
- .5 Bedrooms shall only be rented for periods of less than one month.
- .6 A short term accommodation is permitted to have no more than one non-internally illuminated sign to a maximum size of 0.3 m<sup>2</sup> that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m from any parcel boundary.
- .7 There shall be no exterior indication that a short term accommodation is in operation on any parcel, except for permitted signage and required parking.
- .8 A short term accommodation shall not be permitted without connection to a community sewer system unless:
  - (a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.

.9 A short term accommodation is not permitted on a parcel that contains a bed and breakfast.

#### PART 4 – OFF-STREET PARKING AND LOADING

#### 4.4 STANDARD PARKING SPACES

Table 4.1 – Required parking spaces.

USE	NUMBER OF REQUIRED PARKING SPACES
RESIDENTIAL AND RESIDENTIAL-RELATED	
Short term	1.0 per 1 or 2 bedrooms
accommodation	2.0 per 3 or 4 bedrooms

## **Business Licencing and Regulations Bylaw No. 0087**

#### **1.2 DEFINITIONS**

**HOSTED SHORT TERM ACCOMMODATION** means a short term accommodation where there is interaction between the operator, or their local contact, and guests during operation. The operator, or local contact, must be available to respond to any nuisance complaints at all times during operation of the short term accommodation.

**LOCAL CONTACT** means a person designated as an alternate host for a short term accommodation by the operator. The local contact must be available to respond to any nuisance complaints if the operator is unavailable.

#### SECTION ## - SHORT TERM ACCOMMODATIONS

.1 A person must not carry on business as an operator of a short term accommodation unless the person holds a valid licence issued under the provisions of this Bylaw.

.2 Without limiting Section 2.1, a person applying for the issuance of a licence to operate a short term accommodation must, in addition to meeting the requirements of Zoning Bylaw No. 0154:

- (a) Make an application to the Licence Inspector on the form provided for short term accommodation business licence applications;
- (b) Provide, in the form satisfactory to the Licence Inspector, evidence that:
  - a. The operator owns the dwelling where the short term accommodation is offered, or
  - b. The owner of the property has consented to the use of the property as a short term accommodation;
- (c) When the property where the short term accommodation is offered is located within a Strata, provide a letter from the strata council confirming that the use of the dwelling for short term accommodations does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act;
- (d) Provide in the form satisfactory to the Licence Inspector, evidence that the premises where the short term accommodation is offered is occupied by the operator as their principal

residence which must include, at minimum, two of the following documents in the operators name:

- a. Provincial Homeowners Grant;
- b. Driver's Licence;
- c. Vehicle Registration;
- d. Utility Bills;
- e. Tax Forms;
- f. Insurance Forms;
- g. Government Records; or
- h. Other documents satisfactory to the Licence Inspector.
- (e) Provide the name and contact information for a Local Contact who is designated by the operator as an alternate host for the short term accommodation;
- (f) Submit in the form satisfactory to the Licence Inspector a Self-Evaluation Safety Audit;
- (g) Provide a floor plan of the dwelling in which the short term accommodation is offered, identifying the location of smoke alarms, carbon monoxide alarms, fire extinguishers, fire exits, each guest room, the types of bed in each bedroom and the location of any sofa beds (Fire Safety Plan);
- (h) Provide a parking plan which complies with the parking requirements of Zoning Bylaw No. 0154; and
- (i) Provide any other information the Licence Inspector may require for the purposes of ensuring compliance with the City's bylaws and other enactments.

.3 The operator of a short term accommodation must ensure that any marketing or listing for the short term accommodation includes the licence number of a valid licence issued for that dwelling under this Bylaw.

.4 Should the operator of a short term accommodation be absent overnight from their principle residence at a time when the short term accommodation is rented, the operator must ensure that the name and contact information of the Local Contact is prominently displayed in the dwelling.

.5 The operator or Local Contact of a short term accommodation must respond or attend at the dwelling within 2 hours of being requested to do so by the Licence Inspector.

.6 An operator of a short term accommodation must:

- (a) Operate a short term accommodation only within a licenced dwelling;
- (b) Only operate a hosted short term accommodation;
- (c) Display the licence inside the entry way to the dwelling;
- (d) Display in each approved bedroom, and in the entryway of the short term accommodation, a fire safety plan; and
- (e) Ensure that no more than one booking is permitted for the short term accommodation within the dwelling at one time.

.7 An operator of a short term accommodation must not:

- (a) Rent out any bedrooms or provide any sleeping accommodation within any vehicle, recreational vehicle, tent or accessory building; or
- (b) Allow to be used as bedrooms, any rooms that are not approved and identified on the licence application for that dwelling as bedrooms.

# Bylaw Dispute Adjudication Bylaw No. 0093 & Municipal Ticket Information Utilization Bylaw No. 0095

Offence	Bylaw Maximum D Fine		n Daily	Daily Existing Offence		
		Bylaw         Bylaw           No.         No.           0093         0095		_		
Contravene permitted uses (specified in each Zone)	Zoning	\$500	\$1,000	X		
Contravene Short Term Accommodation rules (1 <sup>st</sup> Offence)	Zoning	\$250	\$250		X	
Contravene Short Term Accommodation rules (2 <sup>nd</sup> Offence)	Zoning	\$350	\$350		X	
Contravene Short Term Accommodation rules (Continuing Offence)	Zoning	\$500	\$1,000		X	
Contravene parking and loading standards	Zoning	\$100	\$100	X		
No Business Licence	Business Licencing	\$500	\$1,000	X	Х	
Contravene Short Term Accommodation rules (1st Offence)	Business Licencing	\$250	\$250		X	
Contravene Short Term Accommodation rules (2nd Offence)	Business Licencing	\$350	\$350		X	
Contravene Short Term Accommodation rules (Continuing Offence)	Business Licencing	\$500	\$1,000		X	
Marketing without Licence	Business Licencing	\$100	\$100		Х	
Fail to display Local Contact information	Business Licencing	\$100	\$100		X	
Fail to attend short term accommodation within required time period	Business Licencing	\$250	\$250		X	
Fail to display business licence	Business Licencing	\$50	\$50	X		
Fail to display fire evacuation plan in each short term accommodation bedroom	Business Licencing	\$100	\$100		X	

Operate short term accommodation contrary to licence conditions	Business Licencing	\$500	\$1,000	X
Permit multiple bookings at one time in short term accommodation	Business Licencing	\$500	\$1,000	X
Use unauthorized bedroom for short term accommodation	Business Licencing	\$500	\$1,000	X

# Fees and Charges Bylaw No. 0028

# SCHEDULE 16

	BUSINESS LICENCE CATEGORY	LICENCE FEE EFFECTIVE JANUARY 1, 2013
35	Resort Rental (Resort Apartment, Resort Townhouse, Single Detached Dwelling in CD8 Zone)	\$60
36	Bed and Breakfast	\$135
37	Short Term Accommodation	\$500

WEST KELOW	NA	COUNCIL REPORT
To:	Paul Gipps, CAO	Date: May 11, 2021
From:	Carla Eaton, Planner III	File No: Z 20-07

#### Subject: Z 20-07, Zoning Amendment Bylaw No. 154.95 (3rd Reading), Unaddressed Asquith Road

#### RECOMMENDATION

**THAT** Council give third reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.95, 2020 (File: Z 20-07); and

**THAT** Council direct staff to schedule the bylaw for consideration of adoption following registration of a Section 219 Covenant to secure off-site servicing and infrastructure works as a condition of zoning, including preliminary design and cost estimates to the satisfaction of the City for the following:

- Off-site water servicing;
- Off-site sanitary sewer servicing; and
- Off-site storm water improvements.

#### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity – Quality, innovative urban development (Council's 2020-2022 Strategic Priorities)

#### BACKGROUND

The purpose of this report is to provide Council with an overview of the Public hearing held for this application on April 6, 2021, request consideration of third reading, and seek direction on proposed conditions of adoption for the proposed bylaw amendment. Council gave the proposed bylaw amendment first and second reading on November 10, 2020.

#### **Overview of Proposal**

The applicant has applied to rezone (*Attachment 1*) the 2.04 ha (5.05 acre) subject property from Rural Residential Small Parcel (RU2) to Single Family Residential (R1) zone and the proposed future subdivision includes the extension of Asquith Road providing a connection to future Tallus Heights Drive and Smith Creek Road extensions.

#### **Overview of Public Hearing**

A Public Hearing was held on April 6, 2021. No written submissions were received and no persons addressed Council at the meeting. Council posed a question related to the future road closure asking for clarification regarding the area. The following sections provide some follow-up to the identified question, as well as elaborating on the proposed condition of zoning noted at public hearing.

#### DISCUSSION

#### Future Road Closure

Road closure is anticipated along the southern parcel boundary and will require the consideration of Council prior to final subdivision approval. Detailed road closure areas will be presented to Council at that time (the general location is shown within blue dashed line in Figure 1 below).



Figure 1: Potential Road Closure Area to be Addressed with Future Subdivision Process

#### Summary of Off-site Improvements Recommended as a Condition of Zoning:

Based on detailed technical review present at public hearing, the following off-site servicing and infrastructure works are recommended to be secured as a condition of zoning through the registration of a Section 219 Covenant, including preliminary design and cost estimates to the satisfaction of the City for:

• Off-site water servicing to address water looping;

- Off-site sanitary sewer connection (approx. 230 m) through to Ironridge Road existing sanitary sewer stub;
- Off-site storm water improvements include:
  - connection (approx. 230 m) through to existing storm tank on future Ironridge Road;
  - modifications to the existing storm tank to address additional detention storage as necessary; and
  - emergency overland flow route (ditching complete with erosion control) through to road right of way.

#### **COUNCIL REPORT / RESOLUTION HISTORY**

Date	Report Topic / Resolution	Resolution No.
Apr 6, 2021	Public Hearing held	N/A
Nov 10, 2020	<ul><li>THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.70, 2018; and</li><li>THAT Council direct staff to schedule the Public</li></ul>	C288/20
	Hearing.	

#### CONCLUSION

It is recommended that Council give third reading to the proposed amendment (Z 20-07) as per the recommended motion based on the following:

- Residential policies encourage the sensitive integration of different housing forms in all residential growth areas in support of neighbourhood diversity and healthy communities.
- Infill development makes more efficient use of community services and reduces development pressures at the urban fringes.
- The future development permit process will address hillside and environmental mitigation.
- The proposed zoning boundary amendments and proposed development is consistent with the City's master planning processes.
- Off-site infrastructure and servicing works to support the proposed development will be secured through a Section 219 Covenant.

#### Alternate Motion(s):

#### Alternate Motion 1: Postpone Consideration

1. THAT Council postpone third reading to City of West Zoning Amendment Bylaw No. 0154.95, 2020 (File: Z 20-07).

Should Council wish to postpone third reading, it is requested that direction be provided as part of the Council resolution.

#### Alternate Motion 2: Deny Bylaw Amendments

1. THAT Council rescind first and second readings of City of West Zoning Amendment Bylaw No. 0154.95, 2020 (File: Z 20-07), and abandon the bylaws.

Should Council deny the proposed bylaw amendments, the application will be closed in accordance with Development Applications Procedures Bylaw No. 0260. Council shall not reconsider an application of this nature for the property for a period of six months.

#### **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  $\boxtimes$  No  $\square$ 

Attachments:

1. Zoning Amendment Bylaw No. 0154.95, 2020



#### CITY OF WEST KELOWNA

#### **BYLAW NO. 0154.95**

#### A BYLAW TO AMEND "ZONING BYLAW NO. 0154"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" under the provisions of the *Local Government Act*.

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

1. <u>Title</u>

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.95, 2020".

2. <u>Amendments</u>

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

- 2.1 By changing the zoning on Lot A, District Lots 2600 & 3485, ODYD, Plan 18545, as shown on Schedule 'A' attached to and forming part of this bylaw, from Rural Residential Small Parcel (RU2) to Single Family Residential (R1).
- 2.2 By depicting the change on "Zoning Bylaw No. 0154 Schedule B" (Zoning Bylaw map).

READ A FIRST AND SECOND TIME THIS 10<sup>TH</sup> DAY OF NOVEMBER, 2020 PUBLIC HEARING HELD THIS 6<sup>TH</sup> DAY OF APRIL, 2021 READ A THIRD TIME THIS ADOPTED THIS

MAYOR

CITY CLERK







To: Paul Gipps, CAO

Date: May 11, 2021

From: Hailey Rilkoff, Planner II

File No: DVP 21-08

#### Subject: DVP 21-08, Development Variance Permit, 1885 Diamond View Drive

#### RECOMMENDATION

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 21-08) for SL 59 DL 4662 ODYD Strata Plan KAS3123 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1885 Diamond View Drive) in general accordance with the attached permit to vary the following sections of Zoning Bylaw No. 0154:

- 10.4.5(g).1 to reduce the minimum private access easement setback from 4.5 m to 0.44 m and from 6.0 m to 2.64 m for a garage having vehicular entry from the front; and
- 10.4.5(g).4 to reduce the minimum exterior side parcel boundary setback from 4.5 m to 3.42 m; and

**THAT** Council deny variances to the following sections of Zoning Bylaw No. 0154:

- 10.4.5(f).1 to increase the height of a Single Detached Dwelling from 3 to 4 storeys; and
- 10.4.6(a) to increase the height of any single building wall from 3 storeys or 9 m to four storeys and 12.4 m for the proposed single detached dwelling.

#### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity - Quality, innovative urban development. (Council's 2020-2022 Strategic Priorities).

#### BACKGROUND

This application proposes variances to construct a four storey single detached dwelling on a vacant corner lot within Diamond View estates on Diamond View Drive and Scott Crescent. Of the four requested variances, two relate to the proposed building's height and two relate to setbacks from the roadways.

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		PROPERTY DE	TAILS	
Address	1885 Diamond View Drive			
PID	026-905-124			
Folio	36413406.559			
Lot Size	0.19 acres (777 r		m²)	
Owner	Hardeep Kan	nbo	Agent	Grant Trask
Current Zoning	R1 – Single Detached Residential		Proposed Zoning	-
Current OCP	SFR – Single Family Residential		Proposed OCP	-
Current Use	Vacant		Proposed Use	Residential
Development Permit Areas		Hillside		
Hazards		None		
Agricultural Land Reserve		No		

#### ADJACENT ZONING & LAND USES

North	۸	R1 - Single Detached Residential
East	>	R1 - Single Detached Residential
West	<	R1 - Single Detached Residential
South	V	R1 - Single Detached Residential

#### NEIGHBOURHOOD MAP



#### PROPERTY MAP



#### Background

The subject property is part of the Diamond View Estates strata, which was created through a subdivision that was registered in 2006 (SUB 03-5296). At the time of subdivision, a Development Permit (DP 06-30) was issued to address the Hillside and Sensitive Terrestrial Ecosystem Development Permit Area Guidelines for the bare land strata subdivision. Through the DP and Subdivision process, a no build/no disturb covenant was registered to protect and restore environmentally sensitive areas that were damaged during construction of the subdivision.

#### Proposal

The proposal is to vary Zoning Bylaw No. 0154 for the development of a single detached dwelling on the subject property (1885 Diamond View Drive). The proposal requests variances to increase the height of the dwelling as well as reduce the required setbacks from a private access easement and the exterior side parcel boundary. Specifically this application requests the following four variances:

1. Reduce the minimum private access easement setback from 4.5 m to 0.44 m and from 6.0 m to 2.64 m for a Figure 1 - Proposed Setback Variances garage having vehicular entry from the front:



- 2. Reduce the minimum exterior side parcel boundary setback from 4.5 m to 3.42 m;
- 3. Increase the height of a Single Detached Dwelling from 3 to 4 storeys; and
- 4. Increase the height of any single building wall from 3 storeys or 9 m to four storeys and 12.4 m for the proposed single detached dwelling.



Figure 3 - Proposed 4 storey (12.4m) Single Detached Dwelling

#### Applicant Rationale

The applicant has provided a rationale summary for the proposed development (*Attachment 2*). The applicant feels the home will fit well in the Diamond View community and plans to install landscaping. The applicant outlines the restrictions to building area due to the lot depth and the no-build covenant along Scott Crescent.

The applicant has submitted letters of support for their proposal from 22 properties in the Diamond View Estates subdivision (*Figure 3*). The letters of support state that the residents of the properties have reviewed the proposed construction plans and that they support both the height of the house and the placement on the lot.

#### Policy and Bylaw Review

#### Official Community Plan Bylaw No. 100

The OCP's Residential objectives seek to ensure that housing development is appropriate and sensitive to the surrounding form and character of the area<sup>1</sup>.

General guidelines for development in West Kelowna encourage visually integrating buildings into the natural hillside setting, and reducing the perceived massing of structures through various design considerations<sup>2</sup>. These considerations include terracing of multistory buildings down slopes, avoiding monolithic structures, and limiting building height to minimize visual impacts. The guidelines specifically address developments on steeper sites which encourages modulated and stepping buildings with the slope as much as possible<sup>3</sup>.



Figure 2 - Yellow: Subject Property; Blue: Letters of Support

<sup>&</sup>lt;sup>1</sup> OCP Section 3.3.1 Objective 2

 $<sup>^{\</sup>rm 2}$  OC Section 4.3.1 General Guidelines 22.h and 22.j

<sup>&</sup>lt;sup>3</sup> OCP 4.3.1 General Guidelines 22.1
## Zoning Bylaw No. 0154

Section 10.4.5(g) of the Zoning Bylaw regulates the required siting of buildings and structures from parcel boundaries for the R1 – Single Detached Residential Zone.

The proposed development of the single detached dwelling meets the maximum parcel coverage and the interior side yard setbacks. However, four variances have been identified in terms of overall building height, single building wall face height, private access easement setbacks and exterior side setback. The variances are outlined in Table 1 below.

Height Regulations	R1 Zone Requirement	Proposed
Single Detached Dwelling	9.0 m or 3 storeys	4 storeys
Single Building Wall Face	3 storeys or 9 m	4 storeys and 12.4 m
Siting Regulations	R1 Zone Requirement	Proposed
Front	4.5 m (6.0 m to garage)	0.44m (2.64 m to garage)
Exterior Side	4.5 m (6.0 m to garage)	3.42 m
Interior Side	1.5 m	1.5 m

#### Table 1 - Zoning Regulation Review

Most of the City's Residential Zones restrict residences in the form of single detached dwellings, townhouses and apartments to three storeys. Four storey residential development is only permitted within with City's R5 – Westbank Centre Multiple Residential Zone or for residential developments within the City's Commercial Zones.

## Legislative Requirements

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

## Public Notification

In accordance with the *Local Government Act*, 33 notification letters were sent to all property owners and their tenants within 100 metres of the subject property (*Attachment 5*) and a notice of application sign has been placed on the subject property in accordance with the Development Applications Procedures Bylaw No. 0260. At the time of writing this report three (3) formal submissions have been received which outline concerns in regards to the height variances and the potential impacts of the development on their properties. The applicant has provided 22 letters of support as part of the application materials.

## DISCUSSION

#### Setback Variances

At the time of subdivision, the property was zoned R1 under Zoning Bylaw 871, which did not require a 6.0 m setback for garages and did not require setbacks from private access easements. There was a "sunset clause" included in Zoning Bylaw No. 0154 for approved subdivisions prior to March 2014, if a Building Permit was issued by March 2019. While this proposal would have still required minimal setback variances if proposed earlier, they would not have been as significant. Many other properties along Diamond View Drive have benefitted from setbacks that are less than the required 6.0 m from a garage to the private access easement as Building Permits were issued before March of 2019.

The proposed variances to reduce the required setbacks from the private access easement at the front of the proposed single detached dwelling are not anticipated to result in significant negative impacts. Diamond View Drive is a Strata Road, therefore any future road improvements would be completed by the Strata that this property is within.

While the distance from the garage to the property line is reduced to 2.64 m, there is an additional distance of approximately 3.4 m between the back of curb on Diamond View Drive and the property boundary (*Figure 4*). The private access easement restricts the parking of vehicles within the easement area and the proposed three car garage provides Figure 4 - Approximately 6.0 m from curb to building the required on-site parking for the dwelling.



The proposed site plan (Attachment 1, Schedule A) shows the proposed swimming pool retaining wall to be located within .005 m of the ecological no-build/no-disturb Covenant Area (LB014595). No disturbance is permitted within the covenant area in order to construct the proposed dwelling and pool under the terms of the covenant.

## Height Variances

The proposed height variances are significant and have the potential to create negative impacts on surrounding property owners. Four storey structures are not permitted within the City's residential zones outside of Westbank Centre. Single detached, townhouse and apartment developments within neighbourhood areas are restricted to three storeys throughout the City.

The proposed dwelling's increased height will be further exaggerated by the steep bank below the dwelling and above Scott Crescent (*Figures 5 and 6*). The bank above Scott Crescent ranges in height from approximately 5 m to 8 m long the property's frontage.

As the proposed development is proposed with no significant setback from the top of the bank due to the narrow lot width, this will further amplify the buildings height from Scott Crescent below, resulting in potential impacts to adjacent residents. The approximate height between the Scott

Crescent and the top of the proposed building before it steps back would be between 14 m and 17 m (*Figure 6*).

A number of the City's auidelines for hillside development are not met by this proposal including moderating the building mass on steeper sites and stepping of the building with the natural slope. Building height and mass have not been limited to minimize visual impacts, and the building could be designed to both meet the Zoning Bylaw's height regulations and the OCP's guidelines for development on hillsides.



Figure 5 - Existing Bank between Scott Crescent and proposed development



Figure 6 - Existing Bank between Scott Crescent and Proposed Development

#### Additional Considerations

The applicant provided a number of letters in support of the proposal from property owners on both Diamond View Drive and Scott Crescent. However, none of the properties directly below the proposed development which would be the most impacted by the proposed height variances have provided letters of support (see *Figure 3*).

## CONCLUSION

It is not recommended that Council approve all of the applicants requested variances. In general, the proposed setback variances are supported based on the context of the lot and Zoning Bylaw history. The development will provide three parking spaces within the three car garage which mitigates the reduced driveway length between the building and property line to accommodate additional vehicles. In addition, the distance proposed from the building to the back of curb would be approximately 6 m.

However, the height variance requests have the potential to create negative impacts to adjacent properties and it is not recommended that Council approve the requested height variances. The proposed building does not substantially meet the City's Guidelines for Hillside development and could be redesigned to integrate more sensitively into the neighbourhood. The applicant will be required to redesign the dwelling to meet the City's height regulations within the Zoning Bylaw.

## Alternate Motions:

## Alternate Motion 1 – Deny the Application

**THAT** Council deny the issuance of a Development Variance Permit (DVP 21-08) for SL 59 DL 4662 ODYD Strata Plan KAS3123 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1885 Diamond View Drive).

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.

## Alternate Motion 2 – Approve all Requested Variances

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 21-08) for SL 59 DL 4662 ODYD Strata Plan KAS3123 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1885 Diamond View Drive) in general accordance with the attached permit to vary the following sections of Zoning Bylaw No. 0154:

- 10.4.5(f).1 to increase the height of a Single Detached Dwelling from 3 to 4 storeys;
- 10.4.5(g).1 to reduce the minimum private access easement setback from 4.5 m to 0.44 m and from 6.0 m to 2.64 m for a garage having vehicular entry from the front;
- 10.4.5(g).4 to reduce the minimum exterior side parcel boundary setback from 4.5 m to 3.42 m; and
- 10.4.6(a) to increase the height of any single building wall from 3 storeys or 9 m to four storeys and 12.4 m for the proposed single detached dwelling.

Should Council approve all of the requested variances, the Development Variance Permit will be updated to reflect Council's approval and the permit will be issued.

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## **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  $\boxtimes$  No  $\square$ 

Attachments:

- 1. Draft DVP 21-08
  - A. Site Plan, prepared by Runnals Denby BC Land Surveyors, dated April 30, 2020
- 2. Applicant's Proposal Summary
- 3. Building Elevations
- 4. Development Renderings
- 5. GIS Notification Map
- 6. Submissions Received up to May 6, 2021

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CITY OF WEST KELOWNA PLANNING DEPARTMENT	CITY OF WEST KELO
ATTACHMENT:	KEIO
FILE NO.:	

WNA



CITY OF WEST KELOWNA DEVELOPMENT VARIANCE PERMIT DVP 21-08

To: Hardeep Kambo 1793 Diamond View Dr West Kelowna, BC V1Z 4B7

> c/o Grant Trask 695 Harmony Court Kelowna, BC V1W 2M1

- 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:

#### SL 59 DL 4662 ODYD Strata Plan KAS3123 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1885 Diamond View Drive)

- 3. This Permit reduces the required setbacks for a single detached dwelling on the subject property from a private access easement in accordance with Schedule A. Specifically, this permit varies the following sections of Zoning Bylaw No. 0154:
  - 10.4.5(g).1 to **reduce the minimum private access easement setback** from 4.5 m to 0.44 m and from 6.0 m to 2.64 m for a garage having vehicular entry from the front;
  - 10.4.5(g).4 to reduce the minimum exterior side parcel boundary setback from 4.5m to 3.42 m;.
- 4. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit.
- 5. This Permit is not a Building Permit.

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

ISSUED ON \_\_\_\_\_

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

City Clerk

Schedules:

A. Site Plan, prepared by Runnals Denby BC Land Surveyors, dated April 30, 2020



Proposal Summary:

A single Family Dwelling is proposed for the lot and due to the steep grade from the road to the base of the lot, the owner is proposing 2 lower levels below the main floor. The lower grade level slab is approximately 6.1m (20 feet) below the road edge and will consist of recreation areas and covered patios. The second floor will consist of bedrooms and mechanical equipment.

The Main floor will be at street level and will be the typical living area with an additional bedroom and ensuite. There will also be a 3 car garage to accommodate all required off street parking.

The upper floor area will consist of the master bedroom and ensuite bathroom and patio areas

The front elevation will be two storey and the rear walkout elevation will be 4 storey with the upper floor set back so that the building face is less imposing from the road below.

This house will fit well in the Diamond View community and every effort will taken to not adversely affect the neighbourhood. The house will be completed including all landscaping to the highest standard.

The lot depth at the north lot line is 21.29m, just under 70 feet with a no-build area along the rear parcel line restricts the building area to just over 14.6m (48 feet). A 6m setback to the garage further restricts the ability to allow an appropriate size garage. The proposal is the decrease the front yard set back at the garage entry to accommodate a 3 car garage for the required off street parking.

The property as you move south continues to narrow further restricting the available building area so the owner is requesting a front yard setback reduction to .438m to allow for the construction of the stairs, 1.831m to allow better function in the living area 3.638m to allow the exterior wall design.

The lot will be graded as per the plans provide and the construction will be supervised by a Professional Geotechnical Engineer and a Professional Structural Engineer

Data Summary:

The parcel is 777sqm and the largest footprint is 242sqm 31% lot coverage

Frontage is 58m.

Front yard setback varies from 6m to requested variance of .438m

Rear setback 3.4m, side-yard is 1.5m and exterior corner is 8m

Requesting rear elevation height variance to 4 story and a maximum height of 12.4m





WALL ASSEMBLIES

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X





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	6 NEL PELY VANDAR BARRER	0.09	0.00
	LAS' GIVENES	0.09	0.45
	AR FILM GATERESIO	0.32	0.68
a_	EFFECTIVE RSI / R VALUE DF ENTIRE ASSEMBLY	2.97	16.07
	INDUM RSI VALUE INCORPORATING AN HRV	2.97	16.07
	TUTAL HUMIS BIG REDUCTED CTABLE A-9.35.24.46	2.92	16.53





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File No:DVP 21-08Location:1885 Diamond ViewOwner:Hardeep KamboAgent:Grant TraskSubject:DVP 21-08 – Development Renderings











#### **Meg Jacks**

From: Sent: To: Subject: Harold Rempel May 4, 2021 8:34 PM City of West Kelowna Submissions Attn: City Clerk file number DVP 21-08

May 4, 2021 @ 834 pm #1.

Referencing file number DVP 21-08:

Harold Rempel 1900 Diamond View Drive West Kelowna

The property requesting the variance permit is directly below / in front of our property, and allowing the variance requests, particularly the height going to four storeys, will significantly impact our views of the city and the lake. Aside from the impact on us, in principle a four storey residence is a ridiculous request in a residential development which has been designed with architectural guidelines in place to prevent exactly this sort of impact to neighbours.

Harold Rempel

May 6, 2021 @ 12:22 Pm

MAY 5, 2021

ATTN: City Clerk and Planner Hailey Rilkoff

RE: Notice of Development PERMIT DVP 21-08 1885 Diamond View, West Kelowna, BC

We believe that our interest in our Property will be affected in the below notations, if this proposed variance is granted.

- \* Our property will decrease in value.
- \* This proposed variance will add to the overshadowing of Scott Crescent.
- \* In a neighborhood where the residences are predominantly one and two storeys, the variance will be an extreme oddity with 4 storeys.
- \* There is also we believe a Safety Issue as the rock formation that is the base for the proposed building is deteriorating at an alarming rate, as can be seen with the shale falling on the sidewalk on Scott Crescent. That particular property should not have been approved for a residence at all.

We will send a couple of pictures to you later today.

Thank you for your review and consideration.

John and Shirley Gordon PID 026-904-705 Strata Lot 17 District Lot 4662 ODYD Strata Plan KAS 3123, 1863 Scott Crescent.











M	eg	Jac	ks
	- 5		

From:
Sent:
To:
Subiect:

Chrissy Marston May 6, 2021 4:25 PM City of West Kelowna Submissions; Chrissy Marston Development Variance permit DVP 21-08

May 6, 2021 @ 4:25 Pm

**Mr and Mrs Marston** 

**1877 Horizon Drive** 

#### West Kelowna V1Z 3E4

	Tel		
Email:			

Development Variance permit DVP 21-08

I am objecting to the request to increase the building height to 4 storey due to it being a residential area where no other houses are 4 storeys high and we do not want to set a precedent for other property's to do the same as it will be an eyesore from our property as it will stand and be very noticeable from our deck.

For this reason we are asking you to decline the application.

Thank you

Regards

**C** Marston





To: Paul Gipps, CAO

Date: May 11, 2021

From: Hailey Rilkoff, Planner II

File No: DVP 21-09

Subject: DVP 21-09; Development Variance Permit; 2497 & 2501 Tallus Heights Drive

## RECOMMENDATION

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 21-09) for Lot 5, DL 3793, ODYD, Plan EPP83661 & Lot 6, DL 3793, ODYD, Plan EPP83661 (2497 & 2501 Tallus Heights Drive) in general accordance with the attached permit to vary Zoning Bylaw No. 0154 as follows:

- Section 3.10.1(a) to permit a fence containing corrugated metal panels in a Residential Zone; and
- Section 3.12.4(a) to increase the maximum height for a fence located on top of a retaining wall from 1.22 m required to 2.0 m proposed.

## STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity - Quality, innovative urban development (Council's 2020 - 2022 Strategic Priorities).

## BACKGROUND

The applicant has applied for a Development Variance Permit (Attachment 1) for two sideby-side properties to increase the height of two fences located on top of retaining walls along the interior side property lines as well as to permit corrugated metal to be used for the fences. The properties are developed with single detached dwellings and swimming pools.

PROPERTY DETAILS				
Address	2497 Talus Heights Drive			
PID	030-666-716	030-666-716		
Folio	36414916.225			
Lot Size	.561 Acres (2,270.29 m2)			
Owner	Bradley & Donna Elenko Agent	Brad Elenko		

Address	2501 Talus Heights Drive		
PID	030-666-724		
Folio	36414916.226		
Lot Size	.558 Acres (2,258.15 m <sup>2</sup> )		
Owner	Rodney & Kerry Slater	Agent	Brad Elenko
Current Zoning	RC3 – Single Detached Compact Residential; P1 – Parks and Open Space	Proposed Zoning	-
Current OCP	SFR – Single Family Residential	Proposed OCP	-
Current Use	Residential	Proposed Use	-
Development Permit Areas	Hillside, Sensitive Terrestrial, Wildfire Interface		
Hazards	N/A		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	۸	RC3 – Single Detached Compact Residential Zone
East	>	P1 – Parks & Open Space Zone; RC3 – Single Detached Compact Residential Zone
West	<	RC3 – Single Detached Compact Residential Zone
South	v	P1 – Parks & Open Space Zone; RC3 – Single Detached Compact Residential Zone

## **NEIGHBOURHOOD MAP**



#### **PROPERTY MAP**



#### Proposal

The applicant is proposing to construct privacy fences along the interior side property boundaries of both 2497 and 2501 Tallus Heights Drive (Lots 5 & 6) in order to provide privacy for the swimming pools in the backyard. The proposed fence materials will include either vertical or horizontal corrugated metal and will each be 2.0 m in height.

The proposed fence design would be similar to the concept image provided (*Figure 1*). The proposed fence design would include heavy cedar posts with black metal caps, and horizontal cedar boards on the top and bottom of the corrugated metal



Figure 1 - Concept Image of Proposed Corrugated Metal Fence Design

panels. Each metal panel will consist of either vertical or horizontal corrugated metal sheets painted black or grey.

Two of the proposed fences will be located on top of retaining walls, while the third fence shared by both property owners will be off set from the shared retaining wall (*Figure 2*).

## Applicant's Rationale

The applicant has provided a detailed proposal summary and rationale letter outlining their requested variances. The applicant believes the proposed fence materials (cedar with corrugated metal) will be attractive, durable and low maintenance.

In relation to the variance for fence height on top of a retaining wall, the applicant addresses the need for privacy in their backyard swimming pools. In addition, the applicant believes that the 2.0 m high fence on top of the 0.6 m high retaining wall between 2493 and 2497 Tallus Heights Drive would only create a potential negative impact for the lower property (Lot 5), who is the property owner requesting the variance. The applicant acknowledges that potential negative impacts from the fence proposed between 2501 and 2505 Tallus Heights Drive could affect the lower property (Lot 7), however has indicated that these owners are not opposed to the increased height.



Figure 2 - Cross Section - Proposed Fence Heights

The applicant has indicated they've spoken with the adjacent property owners regarding the proposed variances (2493 and 2505 Tallus Heights Drive) and that they have no issues with the proposed variances.

## Policy & Bylaw Review

## Zoning Bylaw No. 0154

Section 3.10 of the City's Zoning Bylaw regulates fences. Section 3.10.1(a) prohibits fences in residential zones from containing a number of materials including sheet and corrugated metal. Section 3.10 also regulates fence height in residential zones to be a maximum of 1.22 m when sited to the front of a parcel and 2.0 m when sited to the rear or interior side of a parcel.

Section 3.12 of the City's Zoning Bylaw regulates retaining walls. Section 3.12.4(a) restricts the height of a fence located on top of a retaining wall to a maximum of 1.22 m.

#### Table 1 Zoning Bylaw Review

	Zoning Bylaw 0154	Proposal
Fence Regulations		
Prohibited Materials	Barbed Wire, Razor Wire, Electrified Wire, Tarps,	Corrugated Metal (variance)

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	Sheet Metal, Corrugated Metal	
Maximum Height (Interior Side)	2.0 m	2.0 m
Retaining Wall Regulation	ns	
Maximum Height	2.5 m	0.6 m and 1.3 m (existing)
Fence Located on Top of Retaining Wall Maximum Height	1.22 m	2.0 m (variance)

## Legislative Requirements

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

#### **Public Notification**

In accordance with the *Local Government Act*, 49 notification letters were sent to all property owners and their tenants within 100 metres of the subject property (*Attachment 3*) and a notice of application sign has been placed on the subject property in accordance with the Development Applications Procedures Bylaw No. 0260. At the time of writing this report, no submissions from the public had been received.

## DISCUSSION

Fence materials such as razor or electrified wire and sheet or corrugated metal are prohibited in residential zones. These prohibited materials if installed improperly or in areas that could be accessed by the public could pose hazards that may cause injury to people or pets falling or running into them, or accidentally touching them. These materials for fencing are more typical in industrial areas which may require increased security. From an aesthetic perspective, corrugated metal fencing can rust if not properly painted, coated or maintained and is susceptible to damage and denting, particularly when installed in along roadways, driveways and parking areas.

Corrugated metal as a material can have a longer life span than wood and the use of the wood and metal design appears to have greater interest in residential areas as the materials and design preferences evolve. The location of the proposed fence materials along the interior side property lines in the rear yard are less susceptible to denting and damage, versus a location within the front yard. The applicant has indicated they would work together with the neighbouring property owners (2493 & 2505 Tallus Heights Dr)

and utilize traditional wood fence panels facing their properties if corrugated metal was not their preference.

The restriction on height for fences constructed on top of retaining walls is in place in order to minimize the potential negative impacts of a maximum height retaining wall (2.5 m) with a maximum height fence (2.0 m) which would result in a 4.5 m vertical face on the lower side of the retaining wall and fence. As the tallest retaining wall constructed on these properties is 1.3 m respectively, the overall height of the vertical face on the lowest property (2505 Tallus Heights Dr) would be 3.3 m. This is less impactful than what would be permitted by the Zoning Bylaw with a 2.5 m high retaining wall and a 1.2 m high fence (3.7 m).

## CONCLUSION

It is recommended that Council approve the proposed variance application DVP 21-09 to increase the maximum height to construct two fences on top of retaining walls and to permit corrugated metal to be used as a fence material. The fences proposed will be located along the interior side parcel boundaries and the applicant has spoken with the neighbouring properties on either side who do not have concerns with either the height or materials proposed. As the fences are internal to the properties and would only be seen by these immediate neighbours, the proposed variances are not anticipated to result in significant negative impact on the neighbourhood.

## Alternate Motion:

**THAT** Council deny the issuance of a Development Variance Permit (DVP 21-09) for Lot 5, DL 3793, ODYD, Plan EPP83661 & Lot 6, DL 3793, ODYD, Plan EPP83661 (2497 & 2501 Tallus Heights Drive).

Should Council deny the requested variance, the file will be closed. The fences to be constructed would be required to meet the Zoning Bylaw regulations for materials and height. 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  $\boxtimes$  No  $\square$ 

Attachments:

## 1. Draft DVP 21-09

- A. Site Plan and Cross Sections
- B. Fence Design
- 2. Applicant's Proposal Summary
- 3. GIS Notification Map



CITY OF WEST KELOWNA PLANNING DEPARTMENT ATTACHMENT: \_1\_\_\_\_\_\_ FILE NO.: \_\_\_\_\_\_\_



# CITY OF WEST KELOWNA DEVELOPMENT VARIANCE PERMIT DVP 21-09

To: Bradley and Donna Elenko 2497 Tallus Heights Dr West Kelowna, BC V4T 3M2

> Rodney and Kerry Slater 2501 Tallus Heights Dr West Kelowna, BC V4T 3M2

- 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 5, DL 3793, ODYD, Plan EPP83661 (2497 Tallus Heights Drive) Lot 6, DL 3793, ODYD, Plan EPP83661 (2501 Tallus Heights Drive)

- 3. This Permit increases the maximum fence height for a fence to be constructed on top of a retaining wall and permits corrugated metal to be used as a fence material on the subject properties in accordance with Schedules A & B. Specifically, this permit varies the following sections of Zoning Bylaw No. 0154:
  - Section 3.10.1(a) to permit a fence containing corrugated metal panels in a Residential Zone; and
  - Section 3.12.4(a) to increase the maximum height for a fence located on top of a retaining wall from 1.22 m required to 2.0m proposed.
- 4. The proposed fence will be constructed in accordance with Schedule B with heavy cedar posts with black metal caps. The proposed fences will also contain horizontal boards at the bottom and top of the metal panel fence. The corrugated metal panels will be coated/painted black or grey.
- 5. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit.
- 6. This Permit is not a Building Permit.

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

ISSUED ON

Signed on \_\_\_\_

City Clerk

Schedules:

- A. Site Plan and Wall Cross Section
- B. Proposed Fence Design

# Plan and Cross Section Drawings Lots 5 and 6





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## Supplementary Information Development Variance Permit Application

Elenko2497 Tallus Heights DriveSlater2501 Tallus Heights Drive



#### Background

The owners of the 2497 and 2501 Tallus Heights Drive wish to construct a decorative privacy fence along their interior side property lines, in the rear portions of their properties. Both homes are new and are of high quality and appearance, and both properties have a swimming pool in the rear yard. The owners of the two lots respect each other's privacy and both owners want a decorative privacy fence that will screen their rear yards and complement the appearance of their homes.

#### **Proposal**

#### Variance to Section 3.10.1 a) of Zoning Bylaw 0154

The height and construction material of fences in West Kelowna is governed by section 3.10 – Fences, in the City of West Kelowna Zoning Bylaw. Presently, section 3.10.1 a) of the Zoning Bylaw indicates that within residential zones, no fence can contain corrugated metal.

The owners of the subject properties are requesting a variance to section 3.10.1 a) to allow the fences in their rear yards to be constructed with powder coated corrugated metal panels.

The proposed decorative fences in their rear yards will be constructed of 5½ inch by 5½ inch cedar fence posts with powder coated corrugated metal panels placed between the cedar posts and complemented by horizontal 2x6 cedar board on the top and bottom of the corrugated metal panels.

The proposed fence will be similar to the fence in the image with heavy 5½ inch by 5½ inch cedar posts. The proposed vertical cedar posts will not have an angled top as shown in the image, but rather will have black metal caps to protect the post tops from water damage. The proposed fences will also contain one 2x6 cedar horizontal



board at the bottom of the metal panel fence and two cedar 2x6 horizontal boards at the top of the metal panel. The corrugated metal panels facing 2497 Tallus Heights will be black, with the corrugated metal panels facing 2501 Tallus Heights Drive being black or possibly a "gun metal" grey color.
The treatment of the fences facing 2493 and 2505 will be wood but colored corrugated metal panels could be provided if there is a cost sharing agreement.

The houses adjacent to 2497 and 2501 Tallus Heights Drive contain a variety of external materials including metal, and the house at 2493 Tallus Heights contains corrugated metal very similar to the metal proposed for the fence panels.

The neighbors will not see the decorative metal panels in the fence and because the fences in the rear yards, the public will not be able to see the decorative metal panels.

#### Variance to Section 3.12.4 a) of Zoning Bylaw 0154

Section 3.12.4 a) of the West Kelowna Zoning Bylaw indicates that fences on retaining walls cannot exceed 1.2 meters.

The portion of Tallus Heights Drive on which the two subject properties are located slopes down from north to south and this has resulted in short retaining walls being required in the rear yards on each of the subject properties. The retaining wall between 2493 and 2497 is 0.6 m (2') high as noted in photo 3, while the retaining wall between 2501 and 2505 is 1.3 m (4'2"), as noted in photo7.

The proposed fence between 2493 and 2497 will be situated entirely on the 2497 property and approximately 2/3 of the length of the fence will be situated on the short retaining wall. As such, in accordance with section 3.12.4 a) of the Zoning Bylaw, the fence is only allowed to be 1.2 m.

# The owners of the subject properties are requesting a variance to section 3.12.4 a) of the Zoning Bylaw to allow the fence to be constructed 2 m in height, which is the height allowed for fences residential zones.

The restriction on the height of a fence on a retaining wall is for the benefit of the lower property owner to prevent the creation of an excessively tall vertical surface comprised of a retaining wall and fence. As the 2497 property is the lower property between 2497 and 2493, the increased vertical surface will be on the 2497 (Elenko) side of the fence. The Elenkos are comfortable with the increased vertical height created by the 0.6 m retaining wall and a 2 m high fence, and as such there is no practical reason to restrict the height of the fence to 1.2 m which will only serve to allow the neighbors to view into the Elenko's back yard. The Elenkos and Slaters are wanting privacy in their back yards and restricting the fence height to 1.2 m between 2493 and 2497 will not allow privacy to the Elenkos back yard but will allow privacy to the adjacent 2493 property owners back yard. Allowing the standard height 2 m high fence to be constructed on the retaining wall between 2497 and 2493 will provide privacy to both lots and will not pose an imposition to the 2493 property as a 2 m high fence is the normal height permitted in residential zones and is the height of a fence that is allowed to be constructed on the 2493 property.

The owners of 2501 have discussed the proposed fence with their neighbors at 2505, and their neighbors indicated they have no concerns with allowing a 2 m fence on the top of the 1.3 retaining wall.

#### **Rationale and Justification**

#### Fence Material

- The proposed cedar fence with decorative corrugated metal insert panels will be attractive, durable, and low maintenance. The corrugated metal proposed for the fence will be new material and will be custom made to fit the fence panels.
- The metal proposed for the fence will be similar to some of the exterior cladding that is on the adjacent house at 2493.
- Although the proposed fences will be attractive, they will be in the rear yards of the subject properties and not visible from the public, so there should be no concerns with public opinion.
- As the adjacent neighbors at 2493 and 2505 have advise they are not interested in costsharing in the construction of the proposed fences, the fence material facing 2493 and 2505 will contain wood panels between the cedar posts rather than metal panels. As such, the adjacent property owners will not see the metal panels and therefore they should have no concern with the placement of decorative metal panels on the fencing facing the 2497 and 2501 properties.
- The proposed fences with the decorative metal panels will not have a negative visual impact on the adjacent properties or the neighborhood, as the decorative metal panels will not be visible from the surrounding properties.

# Fence Height on a Retaining Wall

- I believe the purpose of the fence height restriction on a retaining wall is to protect the owner of the lower property from the enhanced vertical height of the wall and a fence. As the 2497 property (Elenko) is the lower than the 2493 property, the 2493 property will not be impacted or effected by the requested variance to allow a normal height 2.0 m fence.
- The 2497 property owners have a swimming pool and want to obtain privacy from the neighboring 2493 property. Imposing a maximum fence height of 1.2 meters on the 2497 property retaining wall removes the possibility of the 2497 property having privacy but does provide privacy to the 2493 property. This would simply not be fair, as property owner paying for the fence would not have privacy and would essentially be building a fence to provide privacy for the neighboring 2493 property.
- The proposed variance to allow a 2-meter fence to be constructed on the 0.6 m retaining wall between the 2497 and 2493 properties will not have a negative impact on the use and enjoyment of the 2493 property or any other surrounding property. On the contrary, restricting the fence height to 1.2 m will have a negative impact on the use and enjoyment of the 2497 property.

• The proposed fence height on the retaining wall on the 2497 property is exactly the same height that is allowed to be built on the 2493 property, immediately beside the retaining wall.

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• The owners of 2505 have advised the owners of 2501 that they are not concerned with a 2-meter fence on the 1.3 m retaining wall.





**COUNCIL REPORT** 

To: Paul Gipps, CAO

Date: May 11, 2021

From: Chris Pedersen, Development Engineering Technologist File No: DP 21-08

Subject: City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw No. 0080.12, 4177 Gellatly Road

#### RECOMMENDATION

**THAT** Council give first, second and third reading to "City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Amendment Bylaw No. 0080.12, 2021".

#### BACKGROUND

A local area service is a municipal service (ie. water, sewer, street lighting) that is to be paid for in whole or in part by a local service tax imposed only on the benefiting properties. A municipality must adopt a bylaw to establish a local area service. When a property located outside the local area service boundary wishes to be added or included in the service area, the property owner must petition the municipality to amend the boundary of the service area.

A Petition to amend the boundary of the Local Area Water Service (Westbank Irrigation District) was received from the owners of Lot A, Plan KAP24117, DL 487, ODYD. The Petition for inclusion into the local service area is requested in order to provide 1 domestic water service connection to the community water system for the subject property.

This water service already exists and was installed in 2010 through the Gellatly Road Phase 1 Upgrades Project #5330-20-07. Letters were sent to each affected property owner in this project identifying the costs and procedure to connect. These services were pre-installed to prevent future asphalt cuts on Gellatly Road and the multi-use path as shown in Figure 1.



Figure 1: Water Service at 4177 Gellatly Road

#### FINANCIAL IMPLICATIONS

The costs associated with the connection of the subject property to the community water system will be recovered in accordance with the cost recovery mechanism authorized under City of West Kelowna Local Area Water Service Establishment Bylaw No. 0080.

Standard residential water connection and meter fees will be paid at time of Building Permit in accordance with the City's Fees and Charges Bylaw No. 0028.

Capital cost recovery for the original water installation and New Water Connection Capital Fees from the City's Fees and Charges Bylaw No. 0028 have already been paid by the owner totaling \$5,888.12.

# **REVIEWED BY**

Bob Dargatz, Development Engineering Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

# APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes  $\Box$  No  $\boxtimes$ 

Attachments:

1. City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Amendment Bylaw 2009 No. 0080.12, 2021

#### CITY OF WEST KELOWNA

#### BYLAW NO. 0080.12

#### A BYLAW TO AMEND THE LOCAL AREA WATER SERVICE ESTABLISHMENT (WESTBANK IRRIGATION DISTRICT) BYLAW

WHEREAS the City of West Kelowna established "District of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080", a local area service for the purpose of providing water service to Water System Local Area Service – Westbank Irrigation District; and

WHEREAS the Council of the City of West Kelowna wishes to amend the established local area service to include Lot A, Plan KAP24117, DL 487, ODYD; and

WHEREAS the expansion of the service and its cost recovery methods have been proposed by a petition process in accordance with Section 212 of the *Community Charter*;

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

1. <u>Title</u>

This Bylaw may be cited as the "CITY OF WEST KELOWNA LOCAL AREA WATER SERVICE ESTABLISHMENT (WESTBANK IRRIGATION DISTRICT) AMENDMENT BYLAW NO. 0080.12, 2021".

2. <u>Amendments</u>

"District of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080" is hereby amended as follows:

2.1 <u>Boundaries</u>

The boundaries of the local area service created under Bylaw No. 0080, cited as the "District of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080" are hereby extended to include Lot A, Plan KAP24117, DL 487, ODYD, as shown on the shaded area on Schedule A, attached to and forming part of this Bylaw.

READ A FIRST, SE	COND AND TH	IRD TIME THIS	DAY OF	, 2021
ADOPTED THIS	DAY OF	, 2021		

MAYOR

CITY CLERK





**COUNCIL REPORT** 

To: Paul Gipps, CAO

Date: May 11, 2021

From: Mike Cain, Bylaw Services Manager

Bylaw No: 0151.02

# Subject: Good Neighbour Bylaw – Amendment to Section 10 Compliance Orders

#### RECOMMENDATION

**THAT** Council gives first, second and third reading to the City of West Kelowna Good Neighbour Amendment Bylaw No. 0151.02, 2021.

# STRATEGIC AREA(S) OF FOCUS

Foster Safety and Well Being – to pursue policing and other services and foster safety and well-being.

#### BACKGROUND

This bylaw proposes to amend a clause in the City of West Kelowna's Good Neighbour Bylaw No. 0151, Section 10.3, which would authorize the City to clean up unsightly properties within 48 hours after notice has been given to property owner(s) who have demonstrated a pattern of non-compliance.

Good Neighbour Bylaw No. 0151 contains regulations in regards to:

- Blasting;
- Street Nuisances;
- Noise;
- Property Maintenance;
- Repeat Nuisance Calls for Service; and
- Compliance Orders

The focus of this report is to modify the language referencing Compliance Orders, specifically Section 10.3, to enable the City to take faster enforcement action to have chronic nuisance/unsightly properties cleaned up within 48 hours of notifying the registered owner(s) of the property.

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Compliance Orders are issued by the City to a property owner that has not complied with a request by the City to clean up the property that has become unsightly due to an accumulation of debris and trash.

Current language in Section 10.3 states:

- 10.3 An Order issued under 10.1 herein must state:
  - (a) the civic address of the subject real property;
  - (b) the legal description of the subject real property;
  - (c) the particulars of the non-compliance with this Bylaw to be remedied;
  - (d) that the non-compliance with this Bylaw must be remedied within 14 days of the of delivery of the notice, or in the case of snow, ice, or rubbish on a sidewalk or footpath, within 24 hours from the time the snow, ice or rubbish is deposited thereon.

Proposed language in Section 10.3 states:

- 10.3 (d) i) that the non compliance with this Bylaw must be remedied within 14 days of the date of delivery of the notice, or
  - ii) in the case of snow, ice or rubbish on a sidewalk or footpath, within 24 hours from the time the snow, ice or rubbish is deposited thereon, or
  - iii) if a property has a history of non-compliance, a Bylaw Enforcement Officer may issue an Order to remedy the non-compliance within 48 hours of the date of the delivery of the notice.

The current Section 10.3(d) above, creates a permissible 14 day window for property owners to do their due diligence in bringing the property up to an acceptable community standard. In the event that the property is not at an acceptable standard of maintenance at the end of the 14 days, the Bylaw authorizes the City, or it contractors, to enter onto the property and conduct the work necessary to bring the property into compliance.

The City will typically achieve compliance within this 14 day timeframe and only on rare occasions, does the City have to move in and do the work. The property owner is issued an invoice from the City for the work, and if not paid, it will be applied to their property taxes.

Section 10, in its entirety, is attached to this report and describes in detail the Compliance Order process.

Unfortunately, the above noted 14 day due diligence period is abused by chronic, apathetic, nuisance property owners. It is not uncommon for these owners to wait until the last day to clean up the property. However, it isn't long before the property is back into a state of unacceptable maintenance and the City has to start the process all over again.

#### DISCUSSION

Staff is proposing to revise Section 10.3(d) of the Bylaw that will authorize the City or its contractors to enter onto the property with a history of non-compliance within 48 hours of notice to conduct the work necessary to bring the property into compliance. The property owner(s) is then issued an invoice from the City for the work, and if not paid it will be applied to their property taxes.

#### FINANCIAL IMPLICATIONS

Pursuant to the *Community Charter*, Council may, by Bylaw, impose costs and recover costs of taking action in the event of a default by a person who fails to take action as lawfully directed. Further, the *Community Charter* allows fees imposed for work done or services provided to land or improvements to be collected as property taxes. Therefore, the cost of the City to bring about by compliance will be borne by the property owner.

#### CONCLUSION

Having the ability to ensure a property is cleaned up within 48 hours will have a significant positive effect to the neighbourhood.

This recommended nuisance property abatement tool will work hand in hand with the recently adopted significantly higher Nuisance Abatement Fees that are applied to properties with a history of chronic nuisance activity.

#### Alternate Motion:

**THAT** Council postpone consideration of first, second and third reading of Good Neighbour Amendment Bylaw No. 0151.02.

Should Council wish to postpone consideration of readings, it is requested Council provide further direction.

#### **REVIEWED BY**

Mike Cain, Bylaw Compliance Manager

Mark Koch, Director of Development Services

Brad Savoury, Director of Legal Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

# APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

PowerPoint: Yes  $\Box$  No  $\boxtimes$ 

Attachments:

- 1. Section 10 of Bylaw No. 0151 Compliance Orders
- 2. Good Neighbour Amendment Bylaw No. 0151.02

#### 10. Compliance Orders

10.1 If the owner of real property or other responsible person fails to comply with a requirement of this Bylaw, the Bylaw Enforcement Officer may issue an Order requiring that the owner or other responsible person, bring the real property into compliance with the provisions of this Bylaw.

10.2 Service of an Order referred to in Section 10.1 will be sufficient if a copy of the order is:

(a) served personally or mailed by registered mail to the owner of the real property as shown on the current year's real property assessment roll; and

(b) either posted on the real property or delivered or mailed by regular mail to the occupier of the real property.

10.3 An Order issued under Section 10.1 herein must state:

(a) the civic address of the subject real property;

(b) the legal description of the subject real property;

(c) the particulars of the non-compliance with this Bylaw to be remedied;

(d) that the non-compliance with this Bylaw must be remedied within 14 days of the date of delivery of the notice, or in the case of snow, ice or rubbish on a sidewalk or footpath, within 24 hours from the time the snow, ice or rubbish is deposited thereon.

10.4 An Order issued under section 10.1 herein may give specific instructions to remedy the noncompliance with this Bylaw including, but not limited to, any one or more of the following directions:

(a) remove unsightly accumulations of materials and rubbish from the real property;

- (b) remove snow, ice and rubbish from sidewalks and footpaths;
- (c) clean, stack or cover any material;
- (d) clear the real property of brush, trees, noxious weeds and other growths;
- (e) cut grass and weeds present on the real property;
- (f) prune trees and shrubs;

(g) remove rubbish, weeds, grass, and other growth from adjacent boulevards or laneways;

(h) remediate, maintain or repair the real property as specified in the Order, so as to bring it into compliance with this Bylaw. Bylaw 0151.01, adopted July 9, 2019, deleted

10.5 If the owner of real property or other responsible person fails to comply with the Bylaw Enforcement Officer's compliance order within the time period specified in such notice, the City, by its workers or others, may at all reasonable times and in a reasonable manner, enter the real property and bring about such compliance at the cost of the defaulting owner or other responsible person. Such costs shall consist of all costs and expenses incurred by the City to achieve compliance with this Bylaw including, without limitation, administrative costs, costs to attend property by City employees or its contractors and the costs of removal, clean up and disposal. Bylaw 0151.01, adopted July 9, 2019, deleted Section 10.6 in its entirety.

10.7 If an owner of real property or other responsible person defaults in paying the cost referred to in Section 10.5 to the City within 30 days after receipt of a demand for payment from the City, the City may either recover from the owner or other responsible person, in any court of competent jurisdiction, the cost as a debt due to the City, or direct that the amount of the cost be added to the real property tax roll as a charge imposed in respect of work or service provided to the real property of the owner, and be collected in the same manner as property taxes.

10.8 Service of a demand for payment referred to in Section 10.7 will be sufficient if a copy of the demand is served personally or mailed by regular mail to the owner of the real property as shown on the current year's real property assessment roll.

#### CITY OF WEST KELOWNA

#### BYLAW NO. 0151.02

#### A BYLAW TO AMEND THE GOOD NEIGHBOUR BYLAW

WHEREAS Council of the City of West Kelowna desires to amend the Good Neighbour Bylaw No. 0151;

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

1. <u>Title</u>

This Bylaw may be cited as the "CITY OF WEST KELOWNA GOOD NEIGHBOUR AMENDMENT BYLAW NO. 151.02, 2021."

2. <u>Amendments</u>

City of West Kelowna Good Neighbour Bylaw No. 0151 is hereby amended as follows:

By deleting Section 10.3 (d) in its entirety and replacing it with the following:

10.3 (d)

- i) that the non compliance with this Bylaw must be remedied within 14 days of the date of delivery of the notice, or
- ii) in the case of snow, ice or rubbish on a sidewalk or footpath, within 24 hours from the time the snow, ice or rubbish is deposited thereon, or
- iii) if a property has a history of non-compliance, a Bylaw Enforcement Officer may issue an Order to remedy the non-compliance within 48 hours of the date of the delivery of the notice

READ A FIRST, SECOND AND THIRD TIME THIS

DAY OF 2021

ADOPTED THIS DAY OF 2021

MAYOR

CITY CLERK



**COUNCIL REPORT** 

To: Paul Gipps, CAO Date: May 11, 2021

From: Jen Kanters, Community Support Specialist

File No: P 21-12

Subject: Strengthening Communities' Services Application for Funding

# RECOMMENDATION

**THAT** Council support the UBCM Application for Strengthening Communities' Services Grant.

# STRATEGIC AREA(S) OF FOCUS

Foster Safety and Well-being - We will pursue through direct action, advocacy, and partnerships with Westbank First Nation, with government and local service providers to further advance the health of our community. We will continue to advocate for investments in community health, needs-based housing, emergency preparedness, increased police services, and other community services that foster safety and well-being in West Kelowna.

Strengthen Our Community - We will provide opportunities for the residents of West Kelowna to build connections and strengthen the collaboration with our diverse neighbourhood associations. Together with our community we will celebrate successes and embrace our culture, such as promoting and supporting our strengths and diversity, addressing our shared needs and shaping our community's future.

# BACKGROUND

The City of West Kelowna requests Strengthening Communities' Services funding of \$157,193.50 to help increase the impact that our community's peer network can have in building relationships, guidance and support between those who are street entrenched and outreach workers, bylaw and protective services, and neighbourhood, business and community members around our shelter sites. The goal is to fund "Peer Ambassadors" under the existing program operated by Partners in Resource (PIERS) and an assigned City Bylaw Officer for specialized populations to join local efforts, seek those who are at risk and bridge positive dialogue, ensure appropriate resource allocation and create a safe environment for all in our community. This proposal will not only offer training

opportunities to these new positions, but also address ongoing safety concerns in our community. This proposed program would run from July 1<sup>st</sup>, 2021 to June 30<sup>th</sup>, 2022.

#### DISCUSSION

With pandemic assistance dollars coming into our community, added shelter spaces at the BC Housing funded emergency shelter program at the Super 8 Motel have created more areas of congregation, which create greater risk for COVID-19 transmission and perceptions of reduced public safety. Despite these welcome new beds, we know that some people may not access shelter, and choose to remain outside. The City is in a time of flux; we await confirmation as to which programs (both motel and shelter) will be available in the next year, and any that will cease. If the motel and shelter close, even temporarily, this could create a scenario whereby more than 50 people would potentially need to shelter outside. As the third wave of the pandemic progresses, the City seeks essential funding support to ensure vulnerable individuals can access basic needs supports and harm reduction supplies and are prioritized for housing and screened for COVID-19 vulnerabilities. Should the entire funding ask not be given, the Bylaw Officer may be reduced to part time accordingly.

#### Community Safety and COVID-19 Response

Community public health and safety concerns have arisen from neighbouring businesses and residences close to the shelters. Specifically, citizens have reported an increase of biohazardous waste and materials, individuals who are under the influence of substances and experiencing mental health crisis, as well as vandalism and litter. Security has been hired by site operators to help with perimeter checks, however are not contracted to do community clean up, harm reduction, referrals to services or mediation and neighbourhood relations. Fire safety is also a concern attached to those individuals who are sleeping unsheltered and camping in non-permitted spaces.

Funding support will help reduce community concerns about public health and safety in neighbourhoods where we see congregation of people who are experiencing homelessness, in addition to curbing the spread of COVID-19 among a vulnerable population. This City and its partner organizations will achieve this by the following:

- Pairing up trained Peer Ambassadors and the assigned Bylaw Officer with outreach workers and hired security to ensure that positive and intentional work occurs to resolve conflict, unsafe activity, vandalism and bio hazardous waste around perimeters of shelter sites.
- Assessing of needs for individuals, including those vulnerable to COVID-19 with Early Detection and Screening methods.
- Being proactive in supporting community safety in a multifaceted approach.
- Assuring that encampments have access to extra survival and hygiene supplies and place increased attention on the importance of hand cleanliness
- Adding a Bylaw Compliance Officer position to relieve pressure from the existing Bylaw team, allowing for a more timely response to concerns that are raised.

- Providing positive visibility of the City's efforts to address issues in the areas of congregation of the vulnerable community.
- Ensuring Fire Safety Compliance for those who are sheltering outside.

# Services, Partnerships and Engagement

This proposal builds on our existing community resources of social support services, Bylaw Compliance and established peer programs. It compliments and enhances work that is already being done in our community to address the needs of those experiencing homelessness. Teams will support community clean up, warm referrals to support services and daily PiT counts to help better understand the needs of our community. With these positions, the City of West Kelowna will have the ability to support:

- A specialized Bylaw Officer to spend more time building relationships with both our local service providers, and those who are most vulnerable
- Identification and engagement of those that are sheltering outside and unable/unwilling to access other mainstream services, including shelter
- Population of a map, in order to identify where people experiencing homelessness are positioned within the community, in order to track where they are, movements and changes/trends
- Targeted outreach to ensure appropriate housing applications have been submitted/locate individuals outside to make connection to housing opportunities
- Support of transition back into community when the motel funding concludes
- Team work that will create better connections with those most vulnerable to transmission and increase capacity of work experience and skills training to people of lived experience, which improves the community's access to education and awareness around the experience of homelessness.

#### Training and Education

Staff will receive training in areas of COVID-19 vulnerability screening, Indigenous Cultural Safety and Humility, peer support, harm reduction, first aid, conflict resolution, bylaw orientation, fire safety and mental health first aid. This training is funded by this grant application, and will be delivered by our community partners at PIERS and KANDU (Kelowna Area Network of Drug Users), in consultation with Westbank First Nation.

# CONCLUSION

We are making progress in finding solutions aimed at helping those experiencing homelessness. Strengthening Communities' Services funding is essential for the City to continue to connect people with the services they need, bridge service gaps and provide a timely response to issues that are raised in our community. This funding will also provide an opportunity to demonstrate the City of West Kelowna's commitment to ensuring a safe community for every citizen.

#### FINANCIAL IMPLICATIONS

The Strengthening Communities' Services grant would cover the costs associated with the additional Bylaw officer, including wages, administration costs and benefits, uniform, armour and IS supplies (see attachment 2). The City of West Kelowna can contribute inkind for vehicle and office space. All training opportunities will be funded through this grant.

#### Alternate Motion:

THAT Council not support the funding application of the UBCM grant for Strengthening Communities' Services.

# **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  $\boxtimes$  No  $\square$ 

Attachments:

- 1. SCS 2021 CWK Final (Application)
- 2. SCS-West\_Kelowna-Budget-2021

# Strengthening Communities' Services 2021 Application Form

Please complete and return the application form <u>and all required attachments</u>. All questions are required to be answered by typing directly in this form. If you have any questions, contact <u>lgps@ubcm.ca</u> or (250) 356-0930.

<b>SECTION 1: Applicant Information</b>	AP- (for administrative use only)		
Local Government or Treaty First Nation: City of West Kelowna	Complete Mailing Address: 2760 Cameron Rd, West Kelowna, BC V1Z 2T6		
Contact Person: Jen Kanters	Position: Community Support Specialist		
Phone: 250-681-4921	E-mail: jen.kanters@westkelownacity.ca		

\*Contact person must be an authorized representative of the applicant.

#### SECTION 2: For Regional Projects Only

- 1. Identification of Partnering Applicants. For all regional projects, please list all of the partnering eligible applicants included in this application. Refer to Section 4 in the Program & Application Guide for eligibility.
- 2. Rationale for Regional Projects. Please provide a rationale for submitting a regional application and describe how this approach will support cost-efficiencies in the total grant request.

#### **SECTION 3: Project Information**

- 3. Project Information
  - A. Project Title: Peer Ambassador Program
  - B. Proposed start and end dates. Start: June 1, 2021 End: May 31, 2022
- **4. Funding Request.** Please refer to Section 3 in the Program & Application Guide for the Funding Guidelines.
  - A. Total proposed project budget: \$157,193.50
  - B. Total proposed grant request: \$157,193.50

- C. If the proposed grant request exceeds the Funding Guideline, please provide a rationale for the increased request:
- D. Have you applied for, or received, funding for this project from any other sources?

#### 5. Project Summary. Provide a summary of your project in 150 words or less.

The City of West Kelowna requests Strengthening Communities' Services funding to help increase the impact that our community's peer network can have in building relationships, guidance and support between those who are street entrenched and outreach workers, bylaw and protective services, and neighbourhood, business and community members around our shelter sites. The goal is to add "Peer Ambassadors" and an assigned Bylaw Officer for specialized populations to join local efforts, seek those who are at risk and bridge positive dialogue, ensure appropriate resource allocation and create a safe environment for all in our community. Staff will receive training in areas of COVID-19 vulnerability screening, peer support, harm reduction, first aid, conflict resolution, bylaw orientation, fire safety and mental health first aid. Teams will support community clean up, warm referrals to support services and daily PiT counts to help better understand the needs of our community.

#### **SECTION 4: Detailed Project Information**

- 6. Local Context & Evidence:
  - A. Describe the extent of unsheltered homeless populations in your community and existing responses (including local or regional strategies, plans or projects):

Based on numbers that local outreach teams and shelter providers have given, approximately 85 individuals are currently experiencing homelessness in our community. Most of these individuals are seeking shelter at interim housing (United Church, Brown Road) and emergency temporary shelter (Super 8 Motel, Westgate Road). The City of West Kelowna has been receiving services through Turning Points Collaborative and PIERS by way of shelter spaces, outreach and case management, rent subsidies and peer work.

B. Provide a summary of evidence of unsheltered homeless populations in your community. This may be derived from existing strategies, plans or projects or from recent homeless population counts or housing needs reports. *Copies of documents should not be submitted with the application.* 

Outreach teams have identified at minimum 10 individuals who are sheltering outdoors, and an additional 20 (at minimum) who would be classified as those who are experiencing "hidden homelessness". The most recent PiT Count in 2018 identified 72 respondents, although it has been said that despite extensive efforts to capture a large breadth of individuals experiencing homelessness, there are certain populations that will be missed during any PiT count. A PiT Count is not designed to accurately enumerate those who may be experiencing hidden homelessness (e.g. people who are "couch surfing", sleeping in vehicles).

C. Provide a summary of concerns about public health and safety in relation to unsheltered homeless populations that have been identified in your community:

Neighbouring businesses and residences close to the shelters have expressed, public health and safety concerns. Specifically, citizens have reported increased biohazard waste and materials, individuals under the influence of substances and experincing mental health crises, vandalism and litter. Security has been hired to help with perimeter checks; however, staff are not contracted to do community clean up, harm reduction, referrals to

services or mediation and neighbourhood relations. Fire safety is also a concern attached to those individuals who are sleeping unsheltered and camping in non-permitted spaces.

7. Impact of COVID-19. Based on the local context identified in Question 6, provide a description of how these issues have been exacerbated by COVID-19.

With pandemic assistance dollars coming into our community, added shelter spaces at the motel have created more areas of congregation, which create greater risk for COVID-19 transmission and perceptions of reduced public safety. Despite these welcome new beds, we know that some people may not access shelter, and choose to remain outside. The City is in a time of flux; we await confirmation as to which programs (both motel and shelter) will be available in the next year, and any that will cease. If the motel and shelter close, even temporarily, this could create a scenario whereby more than 50 people would potentially need to shelter outside. As the third wave of the pandemic progresses, the City seeks essential funding support to ensure vulnerable individuals can access basic needs supports and harm reduction supplies and are prioritized for housing and screened for COVID-19 vulnerabilities.

- **8. Proposed Activities.** Refer to Sections 4 to 6 of the Program & Application Guide for funding requirements and eligibility and provide the following information:
  - A. Describe the specific activities you plan to undertake:

Service providers will provide the opportunity for peers to participate in meaningful, paid work that will better the community, in which they live. Work would also spread awareness and education to community protective services, businesses and residents. This funding would expand an existing work placement program operated by PIERS and supported by Turning Point Collaborative, and support the day, evening and overnight work of security contractors. The teams would make both intentional and natural connections with and address those who have expressed concerns towards the existing programs and shelter spaces. PIERS will provide training opportunities and oversight to the peers that are hired as ambassadors. Peer ambassadors will work closely with protective services to ensure that those sheltering outside are following bylaw and fire safety regulations. All work would be done from a trauma informed and harm reduction approach. This funding will also provide a mechanism to connect City Bylaw Compliance and Enforcement officers to local service providers by providing training and support collaboration between all parties by way of coordinating communication processes.

An additional member on the Bylaw Compliance team will be assigned to working directly with our vulnerable populations. They too would receive specialized training to ensure that safe and proactive responses are available to address issues and concerns that are happening on the street and outside. The specialized Bylaw Officer will dedicate their time to building relationships with local service providers, and vulnerable people in our community. The officer would gain local context and have the ability to more efficiently navigate the community's network, liaise with service providers and provide appropriate referrals. This proactive measure will help mitigate some impacts from antipcated closure of emergency shelter spaces in March 2022.

B. How will activities provide temporary solutions that address increased urgent and immediate needs related to unsheltered homelessness and not create ongoing long-term financial obligations:

These activities will create a team surrounding the temporary sites that will help service providers bridge the gap until the proposed and planned supportive housing units in our community come online next year. When permanent supportive housing is available in our community, the entrenched population will be able to move into their own homes and have

		common indoor and outdoor space to use that will have fewer impacts on neighbouring
		residences and businesses.
		With these positions, the City of West Kelowna will have the ability to:
		• Identify and engage those that are sheltering outside and unable/unwilling to access other mainstream services, including shelter
		• Assess the needs of these individuals, including those vulnerable to COVID-19 with Early Detection and Screening methods
		<ul> <li>Ensure encampments have access to extra survival and hygiene supplies and place increased attention on the importance of hand cleanliness</li> </ul>
		<ul> <li>Populate a map, in order to identify where people experiencing homelessness are positioned within the community, in order to track where they are, movements and changes/trends</li> </ul>
		<ul> <li>Provide targeted outreach to ensure appropriate housing applications have been submitted/locate individuals outside to make connection to housing opportunities</li> </ul>
		<ul> <li>Support transition back into community when the motel funding concludes</li> </ul>
	C.	How will the proposed activities meet the intent of the funding program. Refer to Section 1 of the Program & Application Guide:
		Funding support will help reduce community concerns about public health and safety in neighbourhoods where we see congregation of people who are experiencing homeless. This City and its partner organizations will achieve this by pairing up trained peers/people with lived experience and the assigned Bylaw Officer with outreach workers, and hired security to ensure that positive and intentional work occurs to resolve conflict, unsafe activity, vandalism and bio hazardous waste. Team work will create a better connection with those most vulnerable to transmission and increase capacity of work experience and skills training to people of lived experience, which improves the community's access to education and awareness around the experience of homelessness.
	D.	How will the proposed activities and costs form part of comprehensive, multi-faceted approach to addressing unsheltered homelessness:
		This approach draws on our existing community resources of social support services, protective and bylaw services and established peer programs. It compliments and enhances work that is already being done in our community to address the needs of those experiencing homelessness and public safety and security of other members of the community and local businesses.
9.		<b>i-Stigma Lens.</b> Describe how proposed activities will apply an anti-stigma lens and ease public awareness and understanding of causes and responses to homelessness.
	Marginalized participants are faced with daily stigma and overcoming barriers to employment requires a non-judgemental and welcoming environment. Services will include cultural components that support the successful completion of the program for culturally diverse participants. Respondents and their staff have the necessary training and skills to ensure a saf environment for all involved.	
	con all p bus pro	providing a timely response to issues and questions that are raised, relationships between all munity members can be improved and the line of communication can be enhanced between parties. The dedicated Bylaw Officer will have the capacity and time to work closely with local siness and residences who have expressed concerns, and explain the work being done and gress being made. This interactive approach will ease concerns and help to dispel information and fear surrounding activity outside of temporary sheltering sites. Creating a

team between multiple agencies and services will allow for quick response, information and education to come from increased and different access points than our community currently has.

- **10. Partnerships & Engagement.** Please indicate how you intend to engage or collaborate with the following and what specific role they will play in the proposed activities. If possible, please identify the <u>specific</u> agencies or organizations you intend to work with.
  - A. Indigenous leadership, organizations and communities, including engagement during the development of the application package:

Services for Indigenous Participants will be delivered by, or include partnerships with, relevant Indigenous organizations. Westbank First Nation will be consulted on how to ensure this work is being done in a safe and culturally respectful way and include opportunities to meet the distinct needs of Indigenous peoples in our community. Westbank First Nation will be included in development of training of peers, the Bylaw Officer and outreach workers. Collaboration is still in the early stages at the time of this application process, however, Westbank First Nation is currently in the hiring process of both Outreach and Community Engagment staff, and has committed to collbrating with this proposed program. Westbank First Nation has expressed the need to collabrate to close gaps, prevent unnecessary overlaps and support community unity.

B. Distinct needs-serving organizations, public health, health authorities, non-profit organizations, other local governments, police, bylaw enforcement):

Community partnerships are integral to the success of the participants and program. The funding will facilitate our work and training with Turning Point Collaborative, PIERS, Paladin Security, City Bylaw Compliance and Enforcement and West Kelowna Fire Rescue. PIERS will receive the funding for the Peer Ambassadors, and partner with Turning Points Collaborative as the site operators that these services largely will target. Collaboration between these organizations has been outstanding since Turning Points has launched in West Kelowna in March of 2020, and we will continue to support the partnership that has seen much success in helping our community's most vulnerable. This program will also build relationship between our services providers and security hired at the sites, as well as bylaws compliance and fire safety. The additional Bylaw Officer will have the capacity to attend community coordination meetings, and will set up the community in an advantageous position moving forward.

C. Other:

The Peers employed by this program will join the Regional Peer Community of Practice. Community of Practice meetings provide the peer support team with a chance to discuss the things that are going well, matter which are proving difficult and potential ways of improving peer support programs and the response they are able to provide to our community. Community of Practice meetings also provide opportunities for ongoing training in the provision of peer support services. One of the values of peer support involves lifelong learning and personal development. It is vital peer supporters are continuously reflecting on their practice and are provided with opportunities for improvement.

**11. People with Lived Experience.** Indicate how you intend to communicate and engage with unsheltered homeless populations to include perspectives of people with lived experience.

The funding will support work based on the knowledge of those experiencing homelessness and those with lived and living experience. The work will be based on the relationships and connection that peers bring to interactions between outreach services, security and City Bylaw

Compliance and Enforcement. Peer Ambassadors will draw from their skills to connect with those outside and around our existing sites to facilitate meaningful and intentional conversations, ensure health and safety, enhance community relations, connect appropriate resources and apply positive interactions between public services and outreach workers. The knowledge and relations that peers bring to these conversations are instrumental in ensuring that all parties are treated with respect, messaging is properly delivered, appropriate referrals are made and that all feel safe while this work is happening. Awareness, education and collaboration will be important focuses of this work. Those with lived and living experience are most ideally suited to deliver this work and produce the required results.

- **12. Outcomes & Performance Measures.** Please describe the proposed outcomes and performance measures.
  - A. How will the outcomes address the challenges identified in Questions 6 and 7:

By expanding on the outstanding work that has been taking place by local non-profits, we will enhance the services and interactions that take place between those who are sheltering outside at all times of day, address concerns about public health and safety that have been raised and identify those who are most at risk of contracting and transmitting COVID-19. We will achieve this by engaging our persons with lived experience to team up with existing services to help mediate interactions and spread awareness, understanding and education to other front line services and the rest of the community. With a Bylaw Officer who is assigned to this work, we will ensure a proactive approach to preventing and resolving potential issues. Response times to calls for support will also be improved significantly.

B. What performance measures will be used to assess these outcomes:

We will collect data on the number of interactions with unique individuals and the outcomes of each interaction. We will engage by survey and follow up with local businesses and residences to understand and track how concerns are addressed.

The City of West Kelowna will solidify its approach to measurement to ensure that data is continuously gathered and utilized in efforts to improve programming and optimize outcomes for persons served. The Performance Management will reflect an approach to measure and report success at the program and service levels and demonstrate our ability to respond to community safety concerns. Measurements will focus on four key areas designed to achieve program success:

#### Participant & Stakeholder Focus

The focus in this perspective is on whether program recipients and the community as a whole benefit from the services that are delivered and whether they are delivered in a manner that meets their needs and expectations. It answers the questions, "Are our services making a difference?" and, "Are our services meeting the recipients and stakeholders' expectations in terms of satisfaction or quality of service delivery (i.e. are they responsive and well delivered)?"

#### Internal Process Focus

This area focuses on the efficiency and timeliness of service delivery processes. It answers the question, "Did we use our resources (e.g., funding, personnel, training) efficiently?" The measurement for this outcome is generally expressed as a ratio of a resource to unit of service delivered (input to output).

#### Learning & Growth Focus

This area focuses on ensuring that we proactively manage our human resources – the most important and critical resource we have available to impact change. We will ask our Peer Ambassadors to join a collective of their peers to ensure we have the most accurate and relevant information to adhere to best practices and tap into new and innovative ideas.

#### Program Accountability/Safety Focus

This area focuses on ensuring that we manage the day to day operations of our program and services in a manner that is accountable to funders and ensures the safety of program participants and the public. This will also address aspects of risk management.

C. Demonstrate a plan for winding up and concluding the funded activities (or continuing with alternative sources of funding):

The Peer Ambassador program will be an extension of work that is just beginning to be delivered in West Kelowna. This need will likely be diminished by the end of the funding cycle, as West Kelowna aims to open its first supportive housing units funded by BC Housing in 2022. The current funding for the Turning Point Collaborative emergency shelter work is scheduled to end March 31, 2022, which would mean that community concerns with repsect to this location would likely dissolve by the end of the funding schedule. The additional Bylaw Officer will be tasked with ensuring a smooth transition from the motel to community support transition model happens and funding ceases.

**13. Additional Information.** Please share any other information you think may help support your submission.

The City of West Kelowna is a young, rapidly urbanizing municipality. While we are only 13 years old, we are making progress in finding solutions aimed at helping those experiencing homelessness. Strengthening Communities' Services funding is essential if we are to continue to connect people with the services they need, bridge service gaps and reduce the unfair social stigma around this misunderstood population.

#### **SECTION 5: Required Attachments**

Please submit the following with the completed Application Form:

- Detailed project budget
- Council or Board, Local Trust Committee or Treaty First Nation resolution that indicates support for the proposed project and a willingness to provide overall grant management
- For regional projects: Council, Board, Local Trust Committee, Treaty First Nation resolution from each partnering applicant that clearly states approval for the primary applicant to apply for, receive, and manage the grant funding on their behalf.

Optional: Up to three letters of support as evidence of partnership or collaboration with partners such as community-based organizations, non-profit service providers, health authorities and public health units, local First Nations and/or Indigenous organizations.

Submit the completed Application Form and all required attachments as an e-mail attachment to <u>lgps@ubcm.ca</u> and note "2021 SCS" in the subject line. Submit your application as either a Word or PDF file(s).

**SECTION 6: Signature.** Applications are required to be signed by an authorized representative of the applicant. Please note all application materials will be shared with the Province of BC.

I certify that: (1) to the best of my knowledge, all information is accurate, (2) the area covered by the proposed project is within the applicant's jurisdiction (or appropriate approvals are in place) and (3) we understand that this project may be subject to a compliance audit under the program.

Name: Paul Gipps	Title: Chief Administrative Officer
Signature: Paul II	Date: April 23, 2021

All applications should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: lgps@ubcm.ca

Peer Ambassador and Specialized Bylaw Officer

Detailed budget	Estimated Cost
10 .1 PTE Peer Ambassadors (\$19.07 wages/MERCS)	\$40,000.00
<ol> <li>1 FTE Bylaw Enforcement &amp; Compliance Officer Level 1 (lowest level) (pay scale 5)</li> <li>2021 Collective Agreement hourly rate is \$34.00/hr.</li> <li>Current labour load (benefits) calculated at 30% making gross wage \$44.20/hr</li> <li>Bylaw Officer's Wage @ 35 hrs/week = \$86,190</li> </ol>	\$86,190.00
Bylaw Officer Uniform	\$1,000.00
Bylaw Officer Armour	\$1,500.00
Bylaw Officer IT Items	\$2,000.00
Training Oppurtunities	\$6,000.00
Equipment/Supplies for Outreach, Community Cleanup	\$2,000.00

TOTAL PROJECT BUDGET	\$136,690.00
CONTINGENCY (e.g. supply chain issues, unforseen complexity, pandemic abatement, etc.) 15 PER CENT	\$20,503.50
TOTAL GRANT REQUESTED	\$157,193.50



**COUNCIL REPORT** 

To: Paul Gipps, CAO

Date: May 11, 2021

From: Mike Cain, Bylaw Services manager

File No: 4000-01

# Subject: Council Appointment of Bylaw Compliance and Enforcement Officer

#### RECOMMENDATION

**THAT** Council appoint Angelo Stradiotto as a Bylaw Compliance and Enforcement Officer for the City of West Kelowna.

# STRATEGIC AREA(S) OF FOCUS

**Foster Safety and Well-being** – increase police services, including adding additional resources required to serve our community.

#### BACKGROUND

Angelo Stradiotto, is a relief Bylaw Compliance and Enforcement Officer to be utilized for absences due to illness, accident, vacation or unscheduled extra workload.

#### DISCUSSION

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

# FINANCIAL IMPLICATIONS

Relief employee wages are included in the current City of West Kelowna Financial Plan.

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#### Alternate Motion:

**THAT** Council postpone consideration of Mr. Stradiottos Bylaw Enforcement Officer appointment.

Should Council postpone consideration, further direction to staff is requested.

# **REVIEWED BY**

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

# APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes  $\Box$  No  $\boxtimes$ 



# **INFORMATION ONLY COUNCIL REPORT**

To: Paul Gipps, CAO

Date: May 11, 2021

From: Jason Brolund, Fire Chief Stacey Harding, Parks and Fleet Ops Manager

Subject: Spring 2021 Wildfire Mitigation Update

#### **EXECUTIVE SUMMARY**

This report continues the series of updates Council is provided on activities and progress to reduce the impacts of wildfire in the City of West Kelowna.

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

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

Since 2019, funding has been provided by Provincial 'Community Resiliency Investment' (CRI) and 'FireSmart' grants as well as from budgeted City funds.

The scope of this report will be a review of activities taking place in 2021.

# STRATEGIC AREA(S) OF FOCUS

Foster Safety and Wellbeing

# BACKGROUND

An internal committee was formed in 2020 to coordinate the work of Wildfire Mitigation within the CWK. Built upon the successful model of the CWK Flood Operations Committee, it includes staff from Parks, Planning, WKFR and Communications as well as outside support from experts in this area. This committee coordinates current and future grant applications as well as Wildfire Mitigation initiatives within CWK and WFN (on behalf of WKFR).

# Community Resiliency Investment Program Grant

At the October 6, 2020 meeting, Council directed staff to apply for the maximum funding (\$150,000) available under the CRI Grant Program for 2021. In February 2021, staff were advised by the province that \$132,970 was approved for the following projects:

- Public Education
- FireSmart Activities for Residential Areas
- Fuel Management Prescriptions and Treatments

The province did not approve \$17,030 for emergency planning activities that were proposed, consisting of wildland interface preplanning.

#### 2021 Activity – Public Education

Due to the provincial restriction on public gatherings, the 6<sup>th</sup> annual 2020 FireSmart Family Day was postponed. Unfortunately, this will continue to be the case again in 2021. This flagship FireSmart event will be hosted once the COVID pandemic situation has passed.

Should this not be possible in the fall of 2021, a different community engagement activity will delivered. Staff has begun planning a local FireSmart video, which could air on Global Okanagan.

# 2021 Activity - FireSmart Activities

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

<u>Grants:</u> The FireSmart Grant program for 2021 is now open. **Homeowners that conduct FireSmart practices to reduce the impact of wildfire can receive up to \$500 per property**. Program requirements and application packages are available on the City of West Kelowna & WFN websites. \$50,000 is available in 2021.

<u>Debris Disposal:</u> Residents, strata's and neighborhood associations can access **FREE debris disposal** including chipper and dumpster rentals and landfill vouchers for tipping fees. Contact WKFR for more information.

<u>Neighborhood Plans/Recognition</u>: Three neighborhood areas have been identified and will be working toward creating their **FireSmart neighborhood plans** and FireSmart Community recognition. This includes the neighborhoods of Rockridge, Casa Loma and Pettman Rd, Bowes Rd, Parkinson Rd and Griffiths Rd.

#### 2021 Activity – Fuel Management Prescriptions and Treatments

The CWPP includes a science-based risk assessment of the City's 61 highest rated wildfire hazards. This priority list includes all jurisdictions of property ownership including Crown, RDCO, WFN, private and City owned properties.

City staff continues to work through the priority list identified in the CWPP:

- completion of Spring 2020 grant projects (2)
- completion of Fall 2020 projects (3)
- tender of Spring 2021 projects to be completed in fall 2021(3)

Treatment area #48 (Casa Palmero) has been reassessed as no longer meeting the high priority criteria and will not be a component of the 2021 scope.

The City has now completed up to priority #48 of 61 and the scope of addressing our extreme to high priorities is reducing. Should the City continue to be successful under the provincial CRI Grant program, it is estimated that one more future grant approval will clean up all remaining high to extreme wildfire hazards on City of West Kelowna owned properties. The CWK Wildfire Mitigation Committee will reassess our strategy beyond this point.

Priority #	Property	Area	Size	Notes
7	Rose Ridge Park	North slope	3.2	Roseridge Court
9	Rose Valley	Reservoir Dam	1.1	Chlorination station
10	Davidson Creek	Steep south face	8.5 h	Shannon Hill Place
13 & 22	Mt. Boucherie	Lower west and north slopes	5.7	Behind High school and current city hall
14	Jonagold Park	Lower west side	0.9	Next to Westbank First Nations border
30	Shannon Highlands Park	All dense growth	2.8	Shannon Way drive
39	Mt. Boucherie Crown lands	North east slopes	3.3	South of Hudson elementary

Planned works for 2021 include:

# CWPP Completed Recommendations:

- The City of West Kelowna and Westbank First Nation websites have been updated to include FireSmart specific pages highlighting the FireSmart Program, including a link to FireSmart Canada and additional information on the Neighborhood Recognition Program.
- The City of West Kelowna website provides links to the current West Kelowna Fire Danger Rating and BC Wildfire.
- A FireSmart Committee has been formed with representatives from City of West Kelowna WKFR, Parks & Fleet Operations and Communications and Engagement Departments.
- Three prevention staff members at WKFR have been trained as FireSmart Local Representatives.

# Other Initiatives:

- <u>One Way In/Out Inventory</u>: Staff from GIS, Planning and WKFR have undertaken a study that will produce an inventory of one way in/out neighborhoods. The results will be shared with Council and used to improve evacuation from these areas and inform future planning and development decisions.
- <u>Casa Loma Evacuation Planning:</u> A multi-stakeholder group of 16 has been formed to draft an evacuation plan for the Casa Loma neighborhood. A draft is expected to be completed prior to wildfire season and will contain recommendations to improve evacuation from this area.
- <u>Glenrosa Secondary Access</u>: Staff will post signage and complete the annual condition assessment of the secondary emergency egress from Glenrosa via Jackpine FSR. Staff will also request the province undertake grading and general improvements prior to wildfire season.
- <u>Wildland Preplanning</u>: WKFR and GIS staff continue to build upon and improve mapping and information gathering in the wildland interface area. This includes mapping of trails, accesses, water supplies and other critical infrastructure that would be used in an emergency. This is a multi-year initiative that was not approved for grant funding, but will continue to move ahead using existing resources.
- <u>Emergency Operations Centre Preparations and Training:</u> Staff from across the organization have completed (or are in the process of completing) EOC training under the Regional Emergency Program. WKFR continues to provide support and expertise to the EOC and WFN as they complete emergency planning enhancements.
- <u>WFN Mitigation</u>: Staff continues to work closely to support WFN grant, planning and mitigation activities. We were happy to learn that WFN has completed prescriptions for 9 units totaling over 60 hectares in the core of their Tsinstikeptum lands on the Westside. They anticipate mitigation works beginning this year, including a large area in the vicinity of Johnson Bentley Memorial Aquatic Centre and North East of the Casa Loma neighborhood.

#### FINANCIAL IMPLICATIONS

No new financial implications are anticipated. Staff will allocate the 2021 funding as follows:

CRI Grant Component	Grant Component CWK Implementation	
Education (Mandatory)	FireSmart Family Day Open House -OR- COVID Plan "B" – Video series	\$5,000
	Grants/Rebates to the Public (includes \$5,000 for promotion)	\$50,000
FireSmart Residential	Debris Disposal (bins, chipping, fees)	\$5,000
	FireSmart Plans and Recognition	\$3,000
Fuel Management Activities	Prescriptions	\$7,870
Fuel Management Activities	Fuel Treatments	\$62,100
Total Grant Request	\$132,970	
CWK budgeted Operating funds prescriptions, field work and ope	\$50,000	

WFN will fund their portion on grants given to WFN properties under the program.

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

# **REVIEWED BY**

Warren Everton, Director of Finance, CFO

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

# APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes  $\boxtimes$  No  $\square$ 

Attachment

1. Fuel Treatment Progress

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To: Paul Gipps, CAO

Date: May 11, 2021

From: Warren Everton, Director of Finance/CFO

Subject: Tax Rate Bylaw No. 0288, 2021

## RECOMMENDATION

THAT Council adopt the "City of West Kelowna Tax Rates Bylaw No. 0288, 2021".

## STRATEGIC AREA(S) OF FOCUS

Economic and financial well-being of the City of West Kelowna

## BACKGROUND

LEGISLATIVE REQUIREMENTS:

The *Community Charter* section 197 requires that Council impose property taxes for the year by bylaw after the approval of the financial plan and prior to May 15th. Pursuant to Section 235 of the *Community Charter*, Council may use the General Collection Scheme or Alternative Tax Collection Scheme, including penalties to be applied in relation to payments made after a tax due date established by the bylaw.

As per bylaw 0288, the due date for 2021 will be 4:30 pm July 2nd and the penalties for payments made after that date will be 10% for outstanding amounts on July 3<sup>rd</sup>, 2021.

#### DISCUSSION

As per bylaw 0288, the due date for taxes will be 4:30 pm July 2<sup>nd</sup>, 2021.

As presented previously, the following tables represent the tax multipliers on all classes as well as the tax implications of the 4.05% budget increase on Class 1 Residential properties.

		Tax F	Ratio	
Property Class	2018	2019	2020	2021
Class 1 - Residential	1.00	1.00	1.00	1.00
Class 2 - Utilities	11.24	11.24	11.24	11.24
Class 3 - Supportive Housing	1.00	1.00	1.00	1.00
Class 4 - Major Industry	3.00	3.00	3.00	3.00
Class 5 - Light Industry	2.13	2.13	2.13	2.13
Class 6 - Business & Other	2.33	2.33	2.33	2.33
Class 7 - Managed Forest	3.00	3.00	3.00	3.00
Class 8 - Recreation/Non Profit	1.00	1.00	1.00	1.00
Class 9 - Farm	1.00	1.00	1.00	1.00

The tax multipliers have not changed since 2017 and are recommended to remain the same in 2021.

Average Re	esidential Prope	erty - General Mu	unicipal Taxes	
	2020		2021	Increase/ (Decrease)
Average house	\$640,000		\$655,000	\$15,000
General tax rate (includes library and	3.2205		3.2745	0.0540
Taxes	\$2,061		\$2,145	\$84
Total Increase			4.06%	\$84
Less:				
Budgeted Tax Increase			4.05%	\$83
Difference - Growth in class & assessn	nent shift from/	to other classes	0.01%	\$1

The average property assessed at \$655,000 in West Kelowna will see an \$84 increase in general taxes for 2021.

## **COUNCIL REPORT / RESOLUTION HISTORY**

Date	Report Topic / Resolution	Resolution No.
April 20, 2021	<b>THAT</b> Council adopt the tax multiplier schedule as presented; and,	C152/21
	<b>THAT</b> Council give 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading to "City of West Kelowna Tax Rates Bylaw No. 0288, 2021".	

#### Alternate Motion:

**THAT** Council rescind third reading of "City of West Kelowna Tax Rates Bylaw No. 0288, 2021"; and

**THAT** Council adopt the tax multiplier schedule as presented; and,

**THAT** Council amend the due date for the 10% tax penalty on outstanding amounts on all tax classes to a date other than July 2<sup>nd</sup>; and

**THAT** Council give third reading as amended to "City of West Kelowna Tax Rates Bylaw No. 0288, 2021".

## **REVIEWED BY**

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

## APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

PowerPoint: Yes  $\Box$  No  $\boxtimes$ 

Attachments: Attachment 1 – Tax Rates Bylaw 0288, 2021 Schedule A – Tax Rates

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#### CITY OF WEST KELOWNA

#### BYLAW NO. 0288

# A BYLAW TO ESTABLISH THE TAX RATES UPON REAL PROPERTY FOR THE CITY OF WEST KELOWNA AND TO PROVIDE FOR THE PAYMENT OF TAXES FOR THE YEAR 2021

WHEREAS the Council shall, pursuant to Section 197 of the *Community Charter*, in each year, adopt a bylaw to impose rates on all taxable land and improvements according to their assessed value to provide the money required for purposes specified in the *Community Charter*;

AND WHEREAS the Council may, pursuant to Section 235 of the *Community Charter*, use the Alternative Tax Collection Scheme, including penalties to be applied in relation to payments made after a tax due date established by such bylaw;

THEREFORE BE IT RESOLVED that the Municipal Council of the City of West Kelowna, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. <u>Title:</u>

This Bylaw may be cited as the "CITY OF WEST KELOWNA 2021 TAX RATES BYLAW NO. 0288, 2021".

2. <u>Definitions:</u>

"CHIEFmeans the person duly appointed by Council, and includes his/herFINANCIALDeputy.OFFICER""CITY"means the City of West Kelowna

3. <u>Tax Rate Multiplier</u>

The Multiplier factor used to establish the Tax Rates for general municipal purposes is as follows:

PROPERTY CLASS	CODE	MULTIPLIER
RESIDENTIAL	01	1.00
UTILITIES	02	11.24
SUPPORTIVE HOUSING	03	1.00
MAJOR INDUSTRY	04	3.00
LIGHT INDUSTRY	05	2.13
BUSINESS/OTHER	06	2.33
MANAGED FOREST	07	3.00
REC/NON-PROFIT	08	1.00
FARM	09	1.00

#### 4. Tax Rates for General Municipal Purposes

Tax rates for all lawful general purposes, as shown in column 'A' of Schedule 'A' attached hereto and forming a part of this Bylaw, are hereby imposed and levied on taxable land and improvements according to their assessed value as shown upon the Real Property Tax Roll for general municipal purposes for the City of West Kelowna for 2021.

#### 5. <u>Tax Rates for Regional District of Central Okanagan</u>

Tax rates for the payment of the Regional District of Central Okanagan requisition, excluding tax rates for the SIR requisition under Section 6 as shown in column 'B' of Schedule 'A' attached hereto and forming part of this Bylaw, are hereby imposed and levied on taxable land and improvements according to their assessed value on the basis provided under Section 384 of the *Local Government Act* and as shown upon the Real Property Tax Roll for the City of West Kelowna for 2021.

#### 6. Tax Rates for Regional District of Central Okanagan SIR Program

Tax rates for the payment of the Regional District of Central Okanagan requisition for the SIR Program, as shown in column 'C' of Schedule 'A' attached hereto and forming part of this Bylaw, are hereby imposed and levied on taxable land according to their assessed value on the basis provided under Section 384 of the *Local Government Act* and as shown upon the Real Property Tax Roll for the City of West Kelowna for 2021.

#### 7. <u>Central Okanagan Regional Hospital District</u>

Tax rates for the payment of the Central Okanagan Regional Hospital District requisition, as shown in column 'D' of Schedule 'A' Page 1 attached hereto and forming part of this Bylaw, are hereby imposed and levied on taxable land and improvements according to their assessed value on the basis provided by Section 26 of the *Hospital District Act* and according to their assessed value as shown upon the Real Property Tax Roll for the City of West Kelowna for 2021.

#### 8. <u>Tax Rates for General Municipal Purposes – Library</u>

Tax rates for all lawful general purposes, as shown in column 'E' of Schedule 'A' attached hereto and forming a part of this Bylaw, are hereby imposed and levied on taxable land and improvements according to their assessed value as shown upon the Real Property Tax Roll for general municipal purposes – Library for the City of West Kelowna for 2021.

#### 9. <u>Tax Rates for General Municipal Purposes – Sanitary Storm Sewer</u>

Tax rates for all lawful general purposes, as shown in column 'F' of Schedule 'A' attached hereto and forming a part of this Bylaw, are hereby imposed and levied on taxable land and improvements according to their assessed value as shown upon the Real Property Tax Roll for general municipal purposes – Sanitary Storm Sewer for the City of West Kelowna for 2021.

#### 10. Rates and Taxes Payable to the City of West Kelowna

The rates and taxes named under this Bylaw shall be levied, raised and collected for the purposes stated, and shall be payable to the City of West Kelowna at the City Hall.

#### 11. <u>Alternative Tax Collection Scheme</u>

Under section 235, of the *Community Charter*, Council may use the Alternative Tax Collection Scheme and in doing so must establish the property tax due date and penalty due date(s) for the year. Unless Section 12 applies, the rates and taxes named under this bylaw are due and shall be paid in accordance with sections 4, 5, 6, 7, 8 and 9 of this bylaw on or before 4:30 p.m., July 2, 2021.

#### 12. <u>Election to Pay Under General Tax Collection Scheme</u>

An owner may elect to pay the rates and taxes named under this bylaw in accordance with the General Tax Collection Scheme established under Part 7: Division 10 of the *Community Charter* by giving written notice of that election to the Chief Financial Officer at his/her office at the City of West Kelowna offices on or before June 15, 2021. If an owner does not make election under this section, the Alternative Tax Collection Scheme applies to the rates and taxes payable by that owner.

#### 13. <u>Penalties</u>

Under section 234(2) of the *Community Charter*, the Lieutenant Governor in Council may make regulations establishing penalties and interest that must be applied by municipalities in relation to payments made after the tax due date of July 3<sup>rd</sup> as above. Pursuant to *Municipal Tax Regulation 426/2003, section (3)*, upon *the 3<sup>rd</sup> day* of July, 2021, or as soon thereafter as is practicable, the Chief Financial Officer shall add to the unpaid balance of the current year's taxes, in respect of each parcel of land and the improvements as shown upon the Real Property Tax Roll of the City for 2021, ten (10) percent of the amount unpaid as of 4:30 pm on the 2<sup>nd</sup> day of July, 2021

#### 14. Supplementary Tax Rolls

- 14.1 Upon receipt of a Supplementary Tax Roll from B.C. Assessment, the Chief Financial Officer shall levy taxes in accordance with the rates specified in Schedule 'A' of this Bylaw according to the taxable values as shown on the Supplementary Tax Rolls.
- 14.2 For each Supplementary Tax Roll, the Chief Financial Officer shall add penalties to the unpaid amounts as follows:
  - (a) Where Supplementary Tax Notices are sent before the 7<sup>th</sup> day of June, 2021, penalties shall be added as set out in Section 13 of this Bylaw.

- (a) Where Supplementary Tax Notices are sent after the 7<sup>th</sup> day of June, 2021; ten percent (10%) shall be added on any amount unpaid after one hundred and twenty (120) days.
- 15. R.D.C.O. Parcel Tax (under collection for other governments)
  - (a) Sterile Insect Release Program parcel tax levy for 2021 is \$10,859;
  - (b) The Sewer parcel tax levy for 2021 is \$17,897 for Lakeview #605;
  - (c) Westside Landfill/Transfer Station parcel tax levy for 2021 is \$471,445;
  - (d) Solid Waste and Recycling Program parcel tax levy for 2021 is \$245,694.

READ A FIRST, SECOND AND THIRD TIME THIS  $20^{\rm th}$  DAY OF APRIL, 2021 ADOPTED

MAYOR

CITY CLERK

Schedule "A"							Tax	Tax Rate							
							Schei	Schedule "A"							
			Municipal Combined	General Municipal	% Collected Municipal	Regional District	% Collected Regional District	Regional District SIR (Land Only)	% Collected Regional District SIR (Land Only)	Regional District Hospital	% Collected Regional District Hospital	Regional Library	% Collected Regional Library	Sanitary Storm Sewer	% Collected Sanitary Storm Sewer
Property Class		Description		(Y)		(B)		( <mark>C)</mark>		( <u>D</u> )		(E)		(F)	
Residential	5	Rate Taxable Value Total Collected	3.27450 9,479,728,184 \$ 31,041,370	3.10025 9,479,728,184 \$ 29,389,527	84.91%	0.26673 9,457,721,784 \$ 2,522,658	82.76%	0.02682 4,241,844,706 \$ 113,766	79.29% \$	0.26215 9,457,721,784 5 2,479,342	82.76%	0.14298 9,479,728,184 \$ 1,355,412	84.91%	0.03127 9,479,728,184 \$ 296,431	84.91%
Utilities	8	Rate Taxable Value Total Collected	36.8054 3,810,801 \$ 140,258	34.84681 3,810,801 \$ 132,794	0.38%	0.93356 28,404,301 \$ 26,517	0.87%	0.09387 1,698,200 \$ 159	0.11%	0.91753 28,404,301 5 26,062	0.87%	1.60710 3,810,801 \$ 6,124	0.38%	0.35147 3,810,801 \$ 1,339	0.38%
Supportive Housing	8	Rate Taxable Value Total Collected	3.2745	3.10025	0.00%	0.26673	0.00%	0.02682 -	0.00%	0.26215 -	0.00%	0.14298 -	0.00%	0.031270	0.00%
Major Industry	8	Rate Taxable Value Total Collected	9.8235 18,697,000 \$ 183,670	9.30075 18,697,000 \$ 173,896	0.50%	0.90688 18,697,000 \$ 16,956	0.56%	0.09119	0.76% \$	0.89131 18,697,000 16,665	0.56%	0.42894 18,697,000 \$ 8,020	0.50%	0.09381 18,697,000 \$ 1,754	0.50%
Light Industry	8	Rate Taxable Value Total Collected	6.9747 122,573,500 \$ 854,912	6.60353 122,573,500 \$ 809,418	2.34%	0.90688 122,573,500 \$ 111,160	3.65%	0.09119 83,705,400 \$ 7,633	5.32% \$	0.89131 122,573,500 109,251	3.65%	0.30455 122,573,500 \$ 37,329	2.34%	0.06661 122,573,500 \$ 8,164	2.34%
Business/Other	8	Rate Taxable Value Total Collected	7.6296 561,630,101 \$ 4,285,005	7.22358 561,630,101 \$ 4,056,981	11.72%	0.65349 561,630,101 \$ 367,019	12.04%	0.06571 311,072,101 \$ 20,440	14.25% \$	0.64227 561,630,101 5 360,717	12.04%	0.33314 561,630,101 \$ 187,103	11.72%	0.07286 561,630,101 \$ 40,920	11.72%
Managed Forest	60 80	Rate Taxable Value Total Collected	9.8235	9.30075 - \$	0.00%	0.80019	0.00%	0.08046	0.00%	0.78645	0.00%	0.42894	0.00%	0.09381	0.00%
	3	Total Collected	3.2.704,200 \$ 41,600	\$	0.11%	\$	0.11%	12,472,700	0.23% \$	5	0.11%	12,704,200 \$ 1,816	0.11%	12,704,200 \$ 397	0.11%
Fam	8	Rate Taxable Value Total Collected Total Collected	3.2745 3.789,985 3.789,985 5 12,410 5 3.659,224 5 36,559,224	3.10025 3,789,985 \$ 11,750 \$ 34,613,753	6 0.03% 100.00%	0.26673 1,894,961 \$ 505 \$ 3,048,204	0.02%	0.02682 1,894,961 \$ 51 \$ 143,475	0.04% \$	0.26215 1,894,961 6 497 5 2,995,863	0.02%	0.14298 3,789,985 \$ 542 \$ 1,596,347	0.03%	0.03127 3,789,985 \$ 119 \$ 349,124	0.03%





To: Paul Gipps, CAO

Date: May 11, 2021

From: Lisa Siavashi, Financial Services Manager

Subject: 2021 Transfer Station Parcel Tax Bylaw

#### RECOMMENDATION

**THAT** Council adopt the "City of West Kelowna Transfer Station Parcel Tax Bylaw No. 0286, 2021".

## STRATEGIC AREA(S) OF FOCUS

Economic and financial well-being of the City of West Kelowna

#### BACKGROUND

The landfill located on Asquith Road in West Kelowna (referred to as the Westside Landfill) served West Kelowna, Peachland, the Electoral Area and the WFN for many years. The facility was operated by the RDCO and funded through tipping fees. In 2010, the RDCO converted the landfill to a transfer station open only to residential customers and the funding method became a combination of tipping fees and a parcel tax. The participants in the function and financial contributors are the City of West Kelowna, District of Peachland, Westbank First Nation, and the Regional District of Central Okanagan.

Given that the budget and participants' shares are subject to change annually, this matter must be brought to Council each year for consideration. In 2021, the CWK share is 471,445 up slightly from 470,414 last year. This increase is mostly due to an increase in transfers to reserves. The RDCO invoices the City of West Kelowna for the Westside Transfer Station on a quarterly basis, based on actual expenses. Due to expenses being slightly more in 2020, there is an adjustment debit of 64.38 to be recognized, adjusting the amount needing to be collected in 2021 to 471,509.38. In keeping with Council's 2010 decision to tax only those properties that are able to access the service (residential taxpayers), there are 14,009 properties within our jurisdiction in 2021 with a taxable residential assessment component. This equates to 33.66 per parcel (2020 - 33.97). This parcel tax is being collected to fund a regional service and is in the 2021 – 2025 Financial Plan under collection for other governments.

#### FINANCIAL IMPLICATIONS

The RDCO has established costs per participants with the CWK share being \$471,445. It is recommended that this amount be funded through a parcel tax from properties with a residential assessment component. These funds will be transferred to the Regional District. If the bylaw were not approved, the City would still be responsible to the RDCO for the costs of the program, which would have a substantial impact on the budget.

## **COUNCIL REPORT / RESOLUTION HISTORY**

Date	Report Topic / Resolution	Resolution No.
April 20, 2021	<b>THAT</b> Council give first, second and third readings to the "City of West Kelowna Transfer Station Parcel Tax Bylaw No. 0286, 2021".	C153/21

#### **Alternate Motion:**

**THAT** Council not adopt the "City of West Kelowna Transfer Station Parcel Tax Bylaw No. 0286, 2021".

#### **REVIEWED BY**

Warren Everton Director of Finance, CFO

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

## APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

PowerPoint: Yes □ No ⊠

Attachments:

- 1. Bylaw 0286 2021 Transfer Station Parcel Tax
- 2. 2021-2025 RDCO Westside Transfer Station Budget Projections

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#### CITY OF WEST KELOWNA

#### BYLAW NO. 0286

#### A BYLAW TO IMPOSE A PARCEL TAX UPON OWNERS OF LAND WITHIN THE CITY OF WEST KELOWNA BEING SERVED BY THE SOLID WASTE TRANSFER STATION

WHEREAS the Council of the City of West Kelowna, pursuant to Section 200 of the *Community Charter*, desires to impose and levy a Parcel Tax upon the owners of land or real property within the City of West Kelowna being served by the Westside Landfill;

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

- 1. This bylaw may be cited for all purposes as the "City of West Kelowna Transfer Station Parcel Tax Bylaw No. 0286, 2021".
- 2. A Parcel Tax is hereby imposed and levied upon the owners of land or real property with a residential class assessment that are served or capable of being served by the solid waste transfer station at the Westside Landfill.
- 3. An annual tax of \$33.66 shall be levied on each parcel of real property classified as residential (Class 1) within the City of West Kelowna.

READ A FIRST, SECOND AND THIRD TIME THIS 20<sup>TH</sup> DAY OF APRIL, 2021 ADOPTED

MAYOR

CITY CLERK

#### REGIONAL DISTRICT OF CENTRAL OKANAGAN 2021 - 2025 Five Year Program Budget Projections

#### Program: 092 -- SWM: Westside Waste Disposal & Recycling Centre

#### Department:

Engineering Services (Solid Waste Management)

	General Re	venue Fund B	udgets		
	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
Revenue: Tipping Fees, Sundry Sales Services - Peachland Services - West Kelowna Parcel Tax Previous Year's Surplus/Deficit Engineering Admin OH Administration OH Services - WFN Total Revenue	(532,000) (94,720) (471,445) (114,950) (160,486) b 42,651 172,849 (147,885) (1,305,986)	(532,000) (98,826) (491,883) (119,933) 0 41,760 169,237 (154,296) (1,185,941)	(532,000) (101,820) (506,782) (123,566) 0 42,595 172,622 (158,970) (1,207,920)	(532,000) (104,873) (521,979) (127,271) 0 43,447 176,074 (163,737) (1,230,339)	(532,000) (107,987) (537,480) (131,051) 0 44,316 179,596 (168,599) (1,253,205)
Expenses: Operations Transfer to cc 093 - Landfill Transfer to Capital Facility Reserve Transfer to Operating Reserve Total Expenses (Surplus) / Deficit	1,122,394 c 22,000 d 65,000 e 96,592 bd 1,305,986 0	1,098,942 f 22,000 65,000 e 1,185,942 0	22,000	e 1,143,339 22,000 65,000 1,230,339 0	1,166,206 22,000 65,000 0 1,253,206 0
FTE's	2.245	2.245	2.245	2.245	2.245
Parcel Tax	(114,950)	(119,933)	(123,566)	(127,271)	(131,051)
	<u>General C</u>	apital Fund Bu	dgets		
	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
Revenue Transfer From Cap Fac Reserves Total Revenue Expenses Improvements Facility Improvements Total Expenses (Surplus) / Deficit	(11,330) (11,330) 11,330 0 11,330 0 0	(62,480) (62,480) 11,330 51,150 62,480 0	(11,845) (11,845) 11,845 0 11,845 0 11,845 0	(12,360) (12,360) 12,360 0 12,360 0	(91,156) (91,156) 12,876 78,280 91,156 0
Equip. Reserve Fund Balance at Y/E Capital Facilities Reserve Bal.at Y/E	(3,783) (196,268) e	(3,821) (200,126) e	(3,860) (255,163)	e (3,898) (310,231) e	(3,937) (286,266) e
Operating Reserve Bal at Y/E	(141,279) bd	(142,692)	(144,119)	(145,560)	(147,016)
Notes					

#### Notes

a. This is part of the overall SWM service, and in particular, the landfill site. Costs are split out into the various cost centre for tracking and billing purposes.

b. Surplus primarily due to increased Tipping fee revenue and sundry sales. Under expenditures for contract services \$18.7k, security services \$12.3k, hauling charges \$9.7k, equipment repairs & mtce \$8k, software & licenses \$5k, and various line items also contributed to the surplus. Collection fees, garbage tipping fees and yard waste fees were higher than anticipated. Transfer surplus to Operating Reserve.

c. Increases: Insurance \$0.9k, Collection Fees \$9k, Site Mtce \$1.5k, Safety Supplies \$0.5k, Legal \$10k, Garbage Tipping Fees \$7.2k, Hauling Charges \$7.5k, Vehicle Ops \$45k for trailer repairs. Decreases: Payroll \$18.5k (decrease FTE by 0.375), Travel \$2k, Ozone Emission Control \$1.5k, Equip Rep & Mtce \$7.5k, Contract Services \$5k, Security Services \$5k.

d. Based on updated Landfill Closure Plan, it has been determined that closure reserves are likely too low. Continue to transfer \$22k to landfill closure. The affected participants are included in this cost centre and as per note a, are being billed via this cost centre. If additional funds are required, transfers could also be made from the operating reserves.

- e. Reserve transfers to fund facility improvements and \$300k in trailers in 2026.
- f. Remove \$45k trailer repairs.

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**COUNCIL REPORT** 

To: Paul Gipps, CAO

Date: May 11, 2021

From: Lisa Siavashi, Financial Services Manager

Subject: 2021 Sterile Insect Release Parcel Tax Bylaw

## RECOMMENDATION

**THAT** Council adopt the "City of West Kelowna Sterile Insect Release Parcel Tax Bylaw No. 0285, 2021".

## STRATEGIC AREA(S) OF FOCUS

Economic and financial well-being of the City of West Kelowna

## BACKGROUND

The Sterile Insect Release (SIR) Program was launched in 1992 with an initial goal of eradicating the codling moth in the program area. While the goal of eradication has been modified to the "control of the codling moth populations to manageable levels", the program continues to receive the support of four of the five original regional districts both politically and financially.

The SIR program is funded through two means:

- 1) An annual tax levy on the assessed value of land; and,
- 2) A parcel tax levy on all parcels of land that are in apple and/or pear production.

Bylaw No. 0285 will set the parcel tax to be levied per acre of apple and/or pear trees within the City of West Kelowna.

## FINANCIAL IMPLICATIONS

The parcel tax set by SIR on all parcels of land that are in apple and/or pear production has been \$139.26 per planted acre since 2010. The total amount of the parcel tax levy

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for West Kelowna for 2021 is \$10,859, which is up from \$10,339 in 2020 due to additional parcels in the SIR parcel tax roll in 2021. There are no direct financial implications for the City of West Kelowna as the requisition is from another taxing authority (RDCO). However, if Council did not approve the bylaw, the City would still be responsible to the RDCO for the costs of the program, which would have a substantial impact on the budget.

## **COUNCIL REPORT / RESOLUTION HISTORY**

Date	Report Topic / Resolution	Resolution No.
April 20, 2021	<b>THAT</b> Council give first, second and third readings to the "City of West Kelowna Sterile Insect Release Parcel Tax Bylaw No. 0285, 2021".	C154/21

#### Alternate Motion:

THAT Council not adopt the "City of West Kelowna Sterile Insect Release Parcel Tax Bylaw No. 0285, 2021".

## **REVIEWED BY**

Warren Everton, Director of Finance, CFO

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

## APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes  $\Box$  No  $\boxtimes$ 

Attachments:

- 1. B0285 2021 SIR Parcel Tax Bylaw
- 2. 2021 OKSIR Parcel Tax Roll City of West Kelowna

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#### CITY OF WEST KELOWNA

#### BYLAW NO. 0285

#### A BYLAW TO IMPOSE A PARCEL TAX UPON OWNERS OF LAND WITHIN THE CITY OF WEST KELOWNA BEING SERVED BY THE STERILE INSECT RELEASE PROGRAM

WHEREAS to Section 200 of the *Community Charter* authorizes a local government to impose and levy a Parcel Tax upon the owners of land or real property within the City of West Kelowna being served by the Sterile Insect Release Program.

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

- 1. This bylaw may be cited for all purposes as the "City of West Kelowna Sterile Insect Release Parcel Tax Bylaw No. 0285, 2021".
- 2. A Parcel Tax shall be and is hereby imposed and levied upon the owners of land or real property as shown on Schedule "A" attached to and forming part of this bylaw, being served by the Sterile Insect Release Program.
- 3. An annual tax shall be levied in the amount of \$139.26 per cultivated acre of apple and pear trees on each parcel or groups of parcels of real property within the City of West Kelowna which are capable of benefiting from the Sterile Insect Release Program.

READ A FIRST, SECOND AND THIRD TIME THIS  $20^{TH}$  DAY OF APRIL, 2021 ADOPTED

MAYOR

CITY CLERK

Folio	Property Address	Legal Description	Adjusted Acres	X	139.26
		Lot 8, Plan KAP6385, District Lot 434, Osoyoos Div of Yale Land			
36412267001	JENNENS, WEST KELOWNA	District, Except Plan 31110	1.56	\$	217.25
36412272000	BOUCHERIE, WEST KELOWNA	Parcel Z, Plan KAP7408, District Lot 434, Osoyoos Div of Yale Land District, Except Plan KAP51779	1.00	\$	139.26
30412272000	BOOCHERIE, WEST RELOWING	Lot 10, Plan KAP7408, District Lot 434, Osoyoos Div of Yale Land	1.00	Ş	135.20
36412279000	1895 OLD BOUCHERIE, WEST KELOWNA	District, Except Plan 17273 19135	5.20	\$	724.15
	,,	Lot A, Plan KAP18600, District Lot 434, Osoyoos Div of Yale Land			
36412356010	4091 HITCHNER, WEST KELOWNA	District, Except Plan 19879 KAP71397	1.00	\$	139.26
		Lot 1, Plan KAP19879, District Lot 434, Osoyoos Div of Yale Land			
36412356060	1829 HOFFMAN, WEST KELOWNA	District	1.00	\$	139.26
		Lot 1, Plan KAP52904, District Lot 434, Osoyoos Div of Yale Land			
36412356251	PRITCHARD, WEST KELOWNA	District	7.89	\$	1,098.76
20412250257		Lot 2, Plan KAP75009, District Lot 434, Osoyoos Div of Yale Land District	2.20	~	450.50
36412356257	BOUCHERIE, WEST KELOWNA	Lot 20, Plan KAP761, District Lot 486, Osoyoos Div of Yale Land	3.30	\$	459.56
36412504000	3630 ELLIOTT, WEST KELOWNA	District	1.24	\$	172.68
50412504000		Lot 29, Plan KAP761, Part S1/2, District Lot 486, Osoyoos Div of	1.24	Ŷ	172.00
36412515000	3631 PAYNTER, WEST KELOWNA	Yale Land District	1.27	\$	176.86
		Lot A, Plan KAP40814, District Lot 486, Osoyoos Div of Yale Land			
36412643756	1 - 3687 PAYNTER, WEST KELOWNA	District, Except Plan KAP50225	1.00	\$	139.26
		Lot 11, Plan KAP1414, District Lot 804, Osoyoos Div of Yale Land			
36413307000	3175 SMITH CREEK, WEST KELOWNA	District, Except Plan 18841	2.40	\$	334.22
		Lot 20, Plan KAP1414, District Lot 804, Osoyoos Div of Yale Land			
36413312000	3000 ELLIOTT, WEST KELOWNA	District	1.66	\$	231.17
36413313000		Lot 21, Plan KAP1414, District Lot 804, Osoyoos Div of Yale Land	4.05	~	680.24
36413313000	3030 ELLIOTT, WEST KELOWNA	District Lot 24, Plan KAP1414, District Lot 804, Osoyoos Div of Yale Land	4.95	\$	689.34
36413314000	3100 ELLIOTT, WEST KELOWNA	District	7.54	\$	1,050.02
50415514000		Lot B, Plan KAP4494, District Lot 804, Osoyoos Div of Yale Land	7.54	Ŷ	1,050.02
36413323000	3264 GLENCOE, WEST KELOWNA	District, S 112.23 FT	1.00	\$	139.26
	,	Lot B, Plan KAP4494, District Lot 804, Osoyoos Div of Yale Land			
		District, Portion EXC SLY 112.23 FT, Manufactured Home Reg.#			
36413324000	3256 GLENCOE, WEST KELOWNA	40993	1.00	\$	139.26
36413334201	3275 SHETLER, WEST KELOWNA	Lot B, Plan KAP64016, Osoyoos Div of Yale Land District	1.00	\$	139.26
		Lot 41, Plan KAP761, District Lot 805, Osoyoos Div of Yale Land			
36413339000	3385 ELLIOTT, WEST KELOWNA	District	6.02	\$	838.35
36413346000	2244 ELLIOTT WEST KELOWINA	Lot 47, Plan KAP761, District Lot 805, Osoyoos Div of Yale Land District	2 5 1	Ś	349.54
30413340000	3344 ELLIOTT, WEST KELOWNA	Lot 51, Plan KAP761, District Lot 806, Osoyoos Div of Yale Land	2.51	ş	545.54
36413361000	2672 SCHARF, WEST KELOWNA	District	3.70	\$	515.26
36413393000	3887 BROWN, WEST KELOWNA	Plan KAP2077B, District Lot 807, Osoyoos Div of Yale Land District	2.09	\$	291.05
		Lot A, Plan KAP58799, District Lot 1934, Osoyoos Div of Yale Land			
36413689486	3224 KING, WEST KELOWNA	District	1.00	\$	139.26
		Lot B, Plan KAP58799, District Lot 1934, Osoyoos Div of Yale Land			
36413689487	3228 KING, WEST KELOWNA	District	1.00	\$	139.26
26442600400		Lot C, Plan KAP58799, District Lot 1934, Osoyoos Div of Yale Land	1.00	~	420.20
36413689488	3230 KING, WEST KELOWNA	District District Lot 2045, Osoyoos Div of Yale Land District, Except Plan	1.00	\$	139.26
		EX THE MOST NORTHERLY 40 CHAINS AND EX 15168 16622 36364			
		42462, KAP44539 KAP48244 KAP48245 KAP48425 KAP49612			
		KAP50415 KAP51890 KAP54374 KAP55335 H18375 KAP58416			
		KAP60462 & KAP81269 (3) PT SHOWN OUTLINED RED ON PL			
36413692001	1575 MISSION HILL, WEST KELOWNA	E9289	1.00	\$	139.26
		Lot 3, Plan KAP1350, District Lot 2554, Osoyoos Div of Yale Land			
36414103000	3380 POP, WEST KELOWNA	District, GROUP 1	5.61	\$	781.25
		Lot 8, Plan KAP1350, District Lot 2554, Osoyoos Div of Yale Land			
36414108000	3311 GLENCOE, WEST KELOWNA	District, Except Plan 15719, Manufactured Home Reg.# 78183	6.04	\$	841.13
		Lot 1, Plan KAP61741, District Lot 2554, Osoyoos Div of Yale Land			
36414111096	2820 SCHARF, WEST KELOWNA	District Lot 50, Plan KAP5381, District Lot 2689, Osoyoos Div of Yale Land	1.00	Ş	139.26
26414172000			1.00	ć	120.20
36414173000	890 ANDERS, WEST KELOWNA	District, Except Plan 14487 Lot B, Plan KAP39948, District Lot 2689, Osoyoos Div of Yale Land	1.00	Ş	139.26
36414409738	STUART, WEST KELOWNA	District, Except Plan KAP52050	1.00	s	139.26
	3260 SHETLER, WEST KELOWNA	Lot 1, Plan KAP20803, District Lot 2697, Osoyoos Div of Yale Land I	1.00	\$	139.26
36414410010	J200 JHETEER, WEJT KEEOWINA				



**COUNCIL REPORT** 

To: Paul Gipps, CAO

Date: May 11, 2021

From: Lisa Siavashi, Financial Services Manager

Subject: 2021 RDCO Solid Waste and Recycling Program Parcel Tax Bylaw

#### RECOMMENDATION

**THAT** Council adopt the "City of West Kelowna RDCO Solid Waste and Recycling Program Parcel Tax Bylaw No. 0287, 2021".

## STRATEGIC AREA(S) OF FOCUS

Economic and financial well-being of the City of West Kelowna

## BACKGROUND

The Regional District of Central Okanagan (RDCO) provides educational and other services to the region related to curbside collection, composting, recycling and other items. Numerous programs, such as community cleanup, paper free home, trunk sales and Christmas tree chipping, throughout the year helps promote less waste and a cleaner region. At the November 24, 2015 Council meeting, the decision was made to move the solid waste and recycling program charge from the utility bill and apply it to the annual tax bill as a parcel tax. Previously properties utilizing curbside collection and stratas opting into the curbside collection service were being charged for this program on their quarterly utility bill. The parcel tax will be levied on all residential assessed properties.

Given that the budget and participants' shares are subject to change annually, this matter must be brought to Council each year for consideration. In 2021 the City of West Kelowna's share is \$245,694, which is up from \$232,180 in 2020. This is due to expected increases in operating costs including payroll, commercial and construction waste disposal and a community education study. The Solid Waste and Recycling Program is invoiced to the City of West Kelowna on a quarterly basis, based on actual expenses. Due to expenses being less than expected in 2020, there is an adjustment credit of (\$25,947) to be recognized, reducing the amount needing to be collected in 2021 to \$206,233. In 2021 there are 14,009 properties within our jurisdiction with a residential assessment component. This equates to an annual levy of \$14.72 per parcel (in 2020 it was \$13.35 per parcel).

#### FINANCIAL IMPLICATIONS

The amount billed to the City of West Kelowna from RDCO for the Solid Waste and Recycling program is then billed directly to the residents on the annual tax bill. If Council were not to approve the bylaw, the City would still be responsible to the RDCO for the cost of the program, which would have a substantial impact on the budget.

#### **COUNCIL REPORT / RESOLUTION HISTORY**

Date	Report Topic / Resolution	Resolution No.
April 20, 2021	<b>THAT</b> Council give first, second and third readings to the "City of West Kelowna RDCO Solid Waste and Recycling Program Parcel Tax Bylaw No. 0287, 2021"	C155/21

#### **Alternate Motion:**

**THAT** Council not adopt the "City of West Kelowna RDCO Solid Waste and Recycling Program Parcel Tax Bylaw No. 0287, 2021".

#### **REVIEWED BY**

Warren Everton, Director of Finance, CFO

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

## APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes  $\Box$  No  $\boxtimes$ 

Attachments:

1. Bylaw 287, 2021 RDCO Solid Waste and Recycling Program Parcel Tax

2. 2021 - 2025 RDCO Waste Reduction and Recycling Program Budget Projections

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#### CITY OF WEST KELOWNA

#### BYLAW NO. 0287

#### A BYLAW TO IMPOSE A PARCEL TAX UPON OWNERS OF LAND WITHIN THE CITY OF WEST KELOWNA BEING SERVED BY THE RDCO SOLID WASTE AND RECYCLING PROGRAM

WHEREAS the Council of the City of West Kelowna, pursuant to Section 200 of the *Community Charter*, desires to impose and levy a Parcel Tax upon the owners of land or real property within the City of West Kelowna being served by the RDCO Solid Waste and Recycling program;

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

- 1. This bylaw may be cited for all purposes as the "City of West Kelowna RDCO Solid Waste and Recycling Program Parcel Tax Bylaw No. 0287, 2021".
- 2. A Parcel Tax is hereby imposed and levied upon the owners of land or real property with a residential class assessment that are served or capable of being served by the solid waste and recycling program.
- 3. An annual tax of \$14.72 shall be levied on each parcel of real property classified as residential (Class 1) within the City of West Kelowna.

READ A FIRST, SECOND AND THIRD TIME THIS  $20^{\text{TH}}$  DAY OF APRIL, 2021 ADOPTED

MAYOR

CITY CLERK

## REGIONAL DISTRICT OF CENTRAL OKANAGAN 2021 - 2025 Five Year Program Budget Projections

#### Program:

#### 094 --SWM: Waste Reduction & Recycling Program

Department:

Engineering Services (Solid Waste Management)

#### General Revenue Fund Budgets

								_	
			2022		2023		2024	[	2025
	2021		Projected		Projected		Projected		Projected
	Budget		Budget		Budget		Budget		Budget
Revenue:								ſ	
Services - Kelowna	(958,398)	ab	(973,556)		(1,005,261)		(1,025,478)		(1,046,100)
Services - Peachland	(40,840)	ab	(41,486)		(42,837)		(43,698)		(44,577)
Services - Lake Country	(97,224)	ab	(98,762)		(101,978)		(104,029)		(106,121)
Services - West Kelowna	(245,694)	ab	(249,580)		(257,708)		(262,891)		(268,177)
Parcel Tax	(28,822)	ab	(29,278)		(30,231)		(30,839)		(31,459)
COVID Restart Grant	(7,883)	е	0		0		0		0
Previous Year's Surplus/Deficit	(14,854)	ad	(0)		(0)		(0)		(0)
Administration OH	218,685		219,131		223,514		227,984		232,544
Multi Material BC (MMBC)	(220,000)		(224,400)		(228,888)		(233,466)		(238,135)
Misc. Revenue	(400,000)	с	Û Û		0		Û Û		0
Backyard Composters	(32,000)		(32,000)		(15,000)		(15,000)		(15,000)
Total Revenue	(1,827,030)		(1,429,931)		(1,458,389)		(1,487,417)	ľ	(1,517,025)
					· · · · · · · · ·			ľ	
Expenses:									
Operations	1,420,030	е	1,422,931	f	1,451,389		1,480,417		1,510,025
Group Garbage Cart Purchase	400,000	с	0		0		0		0
Transfer to Reserves	7,000		7,000		7,000		7,000		7,000
Total Expenses	1,827,030		1,429,931		1,458,389		1,487,417	ľ	1,517,025
								ľ	
(Surplus) / Deficit	(0)		(0)		(0)		(0)	ľ	(0)
								ľ	
							I	L	
FTE's	5.51		5.51		5.51		5.51	Γ	5.51
								Ľ	
<u>Tax Levy:</u>									
Parcel Tax	(28,822)		(29,278)		(30,231)		(30,839)	- 1	(31,459)
Falcellax	(20,022)		(29,270)		(30,231)		(30,839)	_ [	(31,439)
	(07.675)		(				(04.4.(2))	г	(00.05.1)
Reserve Fund Balance at Y/E	(67,873)		(75,551)		(83,307)		(91,140)		(99,051)

#### **Notes**

 a. This is part of the overall SWM service. Costs are split out into this cost centre for tracking and billing purposes. Municipalities are invoiced based on actual costs incurred as the year progresses. The EA's are taxed via SWM parcel tax. The surplus/deficit shown relates only to the EA's and is used in calculating the following year's tax. Former cost centre 096 has been amalgamated with this cost centre after program changes in 2014/2015 (MMBC, etc.)

b. Allocation is done using population counts. 2016 Census numbers used.

c. Garbage Cart Group Purchase is under operating \$400k. Costs will be invoiced to all partners.

d. Surplus primarily due to under expenditures for payroll, contract-depots, communication education programs, waste composition study, garbage cart group purchase, software & licenses, illegal dumping operations and various line items. Community Education Study unspent \$53k.

 Increases: Payroll \$49k, Insurance \$1.6k, Commercial/Const. Waste \$50k, Composter Subsidization \$10k, Contract Haz. Waste \$10k, Community Education Study \$21.9k, Misc. \$1.5k.
Decreases: Communication Education Prog. \$3k, Okanagan Reuses (Comm.Edu.Programs) \$25k, Software & Licenses \$4.3k, Waste Composition Study \$20k. Offset with COVID Restart Grant \$7.9k

f. Remove Okanagan Reuses Program \$25k.

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To: Paul Gipps, CAO

Date: May 11, 2021

From: Warren Everton, Director of Finance, CFO Lisa Siavashi, Financial Services Manager

## Subject: 2020 Draft Consolidated Financial Statements - Audited

#### RECOMMENDATION

**THAT** Council accept the 2020 Draft Consolidated Financial Statements for the City of West Kelowna as attached in "Attachment 1".

## STRATEGIC AREA(S) OF FOCUS

Economic and financial well-being of the City of West Kelowna.

#### LEGISLATIVE REQUIREMENTS:

Section 167 of the *Community Charter* describes the financial reporting requirements for local governments. Municipal financial statements for a fiscal year must be prepared by the Financial Officer and presented to Council for its acceptance. The 2020 financial statements are to be submitted to the Inspector of Municipalities by May 15<sup>th</sup> of the year following the end of the fiscal year.

These financial statements have been prepared in accordance with generally accepted accounting principles for local governments following recommendations and guidance provided by Public Sector Accounting Standards (PSAS). Our auditors, KPMG LPP, have audited the statements and provided a clean audit opinion.

#### BACKGROUND

This report presents the City of West Kelowna's Draft Consolidated Financial Statements for the year ended December 31, 2020 and provides highlights of the City's financial performance during 2020 and financial condition as of December 31, 2020.

The Draft Consolidated Financial Statements are intended to provide Council and the public an overview of the state of the City's finances at the end of the fiscal year and indicate revenues, expenses and funding for the year.

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The preparation, content and accuracy of the Draft Consolidated Financial Statements and all other information included in the financial report are the responsibility of management.

The Draft 2020 Consolidated Financial Statements have been audited by KPMG LLP whose role is to express an independent opinion on the fair presentation of the City's financial position and operating results and to confirm that the statements are free from material misstatement. The external auditor's opinion (in Attachment 1) is to provide comfort to third parties that the financial statements can be relied upon by all stakeholders.

The Consolidated Financial Statements include the following individual statements:

## **Consolidated Statement of Financial Position**

The Consolidated Statement of Financial Position is the municipal equivalent of the private sector's balance sheet. This statement focuses on the City's assets (financial and non-financial) and liabilities.

The detailed breakdown of the accumulated surplus, including all of its components:

- amount invested in capital assets; and,
- operating fund, capital fund, reserve and reserve fund balances;

and are reflected in Schedule 2 to the Consolidated Financial Statements.

The City has received funds for specific purposes under legislation, regulation or agreements. The recognition of these funds as revenues have been deferred until related expenses occur in the future. For example, development charges and certain Federal and Provincial grant funding, are not recognized as revenues until such time as the projects are constructed. An example of material importance is the upfront funds received from the Province in the amount of \$13 million for the water treatment plant in 2017. In 2020 \$2,297,953 of these funds were recognized as revenue for costs incurred from 2018 – 2020 for the water treatment plant. The remainder of the funds are held as a liability as deferred revenue to be recognized as the funds are spent.

## **Consolidated Statement of Operations and Accumulated Surplus**

The Consolidated Statement of Operations and Accumulated Surplus is considered to be the municipal equivalent to the private sector's Statement of Income and Retained Earnings.

The statement provides a summary of the revenues, expenses, and surplus throughout the reporting period and outline the change in accumulated surplus.

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The 2020 budget values presented in this statement have been adjusted to reflect the differences between amounts as budgeted at the City on a "modified cash requirements" basis and amounts recorded in these financial statements on an accrual basis. Note 17 outlines the adjustments to the approved budget, particularly exclusion of principal payments, and tangible capital asset purchases, and inclusion of estimated amortization expense. These adjustments to budgeted values were required to provide comparative budget values based on the full accrual basis of accounting.

## **Consolidated Statement of Change in Net Financial Assets (Debt)**

The Consolidated Statement of Net Financial Assets is unique to governments. This statement focuses on the debt of the City, adjusting the annual surplus for the impact of tangible capital assets: mainly deducting the costs to acquire assets, and adding back amortization charged during the year.

Net financial assets or net debt are terms defined by the Public Sector Accounting Standards (PSAS) representing the difference between financial assets and liabilities (both shorter and longer term liabilities). Financial assets are anything that could be used to cover existing liabilities or finance future operations. Net Debt may be materially different than the amount of the City's consolidated outstanding long-term debt on the City's Consolidated Statement of Financial Position, details of which are provided in Note 9 of the Consolidated Statements.

The notes to the statements provide further detail about the City's financial results and are an integral part of the statements.

## 2020 FINANCIAL HIGHLIGHTS

For 2020, the City had consolidated revenues of \$78.6M, consolidated expenses of \$67.2M, and a resulting annual accounting surplus of \$11.4M. It is important to note that this "accounting surplus" is presented on an accrual accounting basis which includes water, sewer, operating and capital functions.

#### **Consolidated Revenues**

While the annual budget process focuses primarily on property tax increases, it must be emphasized that property taxes are only one of the City's many revenue sources. Other major revenue sources are:

Sales of Service and Other Revenue

- Sewer Service user fees, actual \$5.37M, budget \$5.89M (includes RDCO charge).
- Water Service user fees, actual \$11.4M, budget \$10.5M. The increase is due to growth and an increase in user fees which is offset by an increase in expenses and transfers to reserves.

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- Solid Waste Collection user fees actual revenue was \$2.39M Budget was \$2.27M. Materials Management BC (recycling) funds received \$422K, budget was \$380K.
- EOC Flood Recovery \$700K
- Transit user fee, actual \$568K, budget \$740K. COVID Restart grant funds forwarded from BC Transit were used to offset reduced collection of fees.
- Building permits actual \$1.13M, budget \$1.6M. COVID Restart grant funds were used to offset reduced collection of fees.
- Fire Servicing Agreement with WFN \$2.2M, budget \$2.1M
- Recreation and Facility revenue \$1.6M, budget \$2M. COVID Restart grant funds were used to offset reduced collection of fees.
- Interest Revenue, actual \$507K, budget \$970K. Interest rates drastically dropped during 2020.

## **Consolidated Expenditures**

Expense variance explanations by major program area, are as follows:

- Policing contract, over budget by \$950K (due to retro pay expected for the RCMP contract from 2017-2020 and accrued RCMP retirement adjustments). Prisoner costs also \$50K over budget.
- Fire Expenses over budget by \$240K (due to wages for shift coverage).
- EOC Flood Recovery (2017 & 2018) \$883K (approximately 80% reimbursed from Province)
- Transit expenses under budget by \$246K (due to reduced contract expenses from BC Transit)
- Solid Waste under budget by \$360K (due to reduced contract and tipping expenses)
- Sewer expenses, under budget by \$230K (lower than expected contract services)

## Further financial highlights from information presented in financial statements:

1. Acquisitions of Tangible Capital Assets comparison by year:

	2020	2019	2018
General Fund	9,049,269	7,594,954	24,048,809
Water Fund	378,187	2,563,995	3,103,366
Sewer Fund	39,462	171,619	542,148
	\$ 9,466,918	\$ 10,330,568	\$ 27,694,323

Capital acquisitions for 2020 included \$3.2M in vehicles and equipment, \$4.6M in road infrastructure, and \$700K in information services projects and replacements.

#### 2. Reserve and DCCs available to fund Capital Projects:

	20	020 Year End Balance
<u>Reserves</u>		
Capital - General		4,859,856
Capital - Water		4,737,553
Capital - Sewer		569,800
Community projects (Gas Tax)		3,243,577
Equipment Replacement		2,513,825
Future expenses		1,551,949
Municipal Facilities		6,274,317
Other		15,442,869
Policing		560,922
Property Acquisition		134,093
Recreation		288,532
Road Maintenance & Snow Clearing		652,042
Storm Drainage		137,763
Total reserves	\$	40,967,098
Total DCCs Available		19,425,058
Available to fund capital projects	\$	60,392,156

#### 3. COVID Restart Grant

Due to the COVID pandemic in 2020, the Province initiated the Safe Restart program to assist the municipalities with revenue shortfalls and increase expenses related to the pandemic. In the fall of 2020 the City received \$4,600,000. The schedule below details how the funds were used in 2020 and how they are budgeted to be used over the next four year.

Safe Restart Grant \$4,600,000	2020 (actual)	2021	2022	2023
Grant Total Carryforward	4,600,000	3,350,000	1,750,000	1,000,000
Usage Areas:				
COVID-19 expenses	411,000	100,000	100,000	100,000
Facilities and Recreation revenue shortfall	400,000	500,000	350,000	200,000
Postponed FTEs approved previous year		350,000	200,000	100,000
Other reduced revenues	439,000	150,000	100,000	100,000
Total usage in operating budget	1,250,000	1,100,000	750,000	500,000
Capital Budget (sewer line to Shelter Project)		500000		
Balance of Grant (available for future years)	3,350,000	1,750,000	1,000,000	500,000

#### FINANCIAL IMPLICATIONS

The annual surplus each year can be comprised of both cash and non-cash transactions. Examples of non-cash transactions can be: the recognition of development cost charges to fund capital, donations of infrastructure from developers, and actuarial adjustments on the MFA debt.

For 2020 the consolidated annual surplus breaks down as follows:

2020 Annual Surplus	\$	11,116,519
Non cash/non general fund:		
DCCs Recognized to fund capital		(312,123)
Grant revenue recognized to fund capital		(5,779,699)
Actuarial Adjustments		(494,881)
Unappropriated General Fund Surplus	\$	4,529,816
2020 General Surplus comprised of:		
COVID Grant (net of funds transferred to reserves	)	4,602,000
COVID Grant forward from BC Transit		263,549
Net Loss from operating		(335,733)
	\$	4,529,816

## CONCLUSION

During the 2020 budget deliberations, changes were made in light of the COVID-19 pandemic to reduce the 2020 tax increase and put a hold on some of the 2020 budgeted expenses. A decision was made that the entire 2019 surplus flow through to the general operating reserve to cover any shortfall due to additional COVID related expenditures or due to the reduction of the 2020 tax increase, however in the fall of 2020 the Province rolled out the Safe Restart grant to assist the municipalities with lost revenues and increased expenses caused by the pandemic. This allowed \$1.25M of the grant to be allocated to offset COVID effects for 2020 and to carry forward the balance to allocate as needed toward 2021-2023.

#### Alternate Motion:

THAT Council NOT accept the 2020 Draft Consolidated Financial Statements for the City of West Kelowna as attached in "Attachment 1".

#### **REVIEWED BY**

Warren Everton, Director of Finance/CFO

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

## APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

PowerPoint: Yes  $\boxtimes$  No  $\square$ 

Attachments: Attachment 1 – DRAFT 2020 Consolidated Financial Statements



# DRAFT

# 2020 Consolidated Financial Statements And Independent Auditors' Report theron

Fiscal Year Ending December 31, 2020

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## City of West Kelowna December 31, 2020

## Management's Responsibility for Financial Reporting

The Council of the City of West Kelowna has delegated the responsibility for the integrity and objectivity of the financial information contained in the consolidated financial statements to the management of the City of West Kelowna. The consolidated financial statements which, in part, are based on informed judgments and estimates, have been prepared by management in accordance with Canadian public sector accounting standards, which have been applied on a basis consistent with that of the preceding year.

To assist in carrying out their responsibility, management maintains an accounting system and internal controls to provide reasonable assurance that transactions are executed and recorded in accordance with authorization, and that financial records are reliable for preparation of financial statements.

Mayor and Council oversee management's responsibilities for the financial reporting and internal control systems. Council annually reviews and approves the consolidated financial statements.

The City of West Kelowna's independent auditors, KPMG LLP, are engaged to express an opinion as to whether these consolidated financial statements present fairly the City's consolidated financial position, financial activities and cashflows in accordance with Canadian public sector accounting standards. Their opinion is based on procedures they consider sufficient to support such an opinion in accordance with Canadian generally accepted auditing standards.

The consolidated financial statements have, in management's opinion, been properly prepared within reasonable limits of materiality and in accordance with Canadian public sector accounting standards.

Warren Everton, CPA, CMA Chief Financial Officer XXXXXX, 2021

## **INDEPENDENT AUDITORS' REPORT**

To Mayor and Council of the City of West Kelowna

#### Opinion

We have audited the consolidated financial statements of the City of West Kelowna (the City), which comprise:

- the consolidated statement of financial position as at December 31, 2020
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets (debt) for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes and schedules to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of the City as at December 31, 2020, and its consolidated results of operations, its consolidated changes in net financial assets (debt) and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

## **Basis for Opinion**

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "*Auditors' Responsibilities for the Audit of the Financial Statements*" section of our auditors' report.

We are independent of the City in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

# Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the City's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the City or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the City's financial reporting process.

# Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

 Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

 Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control.

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the City's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the City to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

KPMG LLP

Chartered Professional Accountants Kelowna, Canada May 11, 2021

## **City of West Kelowna Consolidated statement of financial position December 31, 2020, with comparative information for 2019**

		2020	2019
Financial assets			
Cash and cash equivalents (Note 3)	\$	<b>65,541,190</b> \$	56,060,232
Accounts receivable (Note 4)		18,778,124	18,361,175
	_	84,319,314	74,421,407
Liabilities			
Accounts payable and accrued liabilities (Note 5)		15,530,937	8,179,785
Security deposits		9,757,377	9,777,243
Deferred revenue (Note 6)		14,694,470	16,969,234
Deferred development cost charges (Note 7)		19,425,058	16,036,488
Equipment debt (Note 8)		472,883	-
Long-term debt (Note 9)		14,343,455	16,563,331
		74,224,180	67,526,081
Net financial assets		10,095,134	6,895,326
Non-financial assets			
Prepaid expenses and inventory		955,970	1,044,349
Tangible capital assets and work in progress (Note 10)		385,349,441	377,344,351
		386,305,411	378,388,700
Accumulated surplus (Schedule 2)	<u>\$</u>	<u>396,400,545 \$</u>	385,284,026

Contingent liabilities and commitments (Notes 14 and 15)

Warren Everton, CPA, CMA Chief Financial Officer

Gord Milsom Mayor, City of West Kelowna

## City of West Kelowna Consolidated statement of operations and accumulated surplus Year ended December 31, 2020, with comparative information for 2019

		2020	2020 Budget (Note 17)	2019
			(NOLE 17)	
Revenue				
Taxation - net (Note 11)	\$	35,860,409	\$ 36,115,400 \$	34,603,407
Sales of service and regulatory fees		24,418,233	24,363,954	23,145,843
Government transfers (Note 12)		12,473,908	42,713,766	3,134,271
Other (Note 13)		5,892,851	 24,853,324	8,845,263
Total revenues	_	78,645,401	 128,046,444	69,728,784
Expenses (Schedule 3)				
General government services		16,725,161	17,103,952	16,133,306
Protective services		17,770,660	15,421,802	16,762,986
Transportation services		5,808,569	6,024,362	5,723,434
Environmental & health development services		4,574,047	4,858,715	5,205,409
Recreation and cultural services		8,003,597	8,454,376	7,965,619
Water services		8,071,646	8,350,382	7,470,497
Sewer services		6,208,309	6,934,837	5,977,993
Storm drainage		366,893	 348,998	381,694
Total expenses		67,528,882	 67,497,424	65,620,938
Annual surplus		11,116,519	60,549,020	4,107,846
Accumulated surplus, beginning of year		385,284,026	 385,284,026	381,176,180
Accumulated surplus, end of year	<u>\$</u>	396,400,545	\$ 445,833,046 \$	385,284,026

## City of West Kelowna Consolidated statement of changes in net financial assets (debt) Year ended December 31, 2020, with comparative information for 2019

· · ·		2020	2020 Budget (Note 17)	2019
Annual surplus Acquisition of tangible capital assets and work in progress	\$	11,116,519 \$ (20,595,377)	60,549,020 \$ (79,997,325)	4,107,846 (15,106,946)
Amortization of tangible capital assets Loss on disposal of tangible capital assets Net change in prepaid expenses and inventory		12,384,766 205,521 88,379	11,856,220 - -	11,856,221 12,289 114,330
Increase (decrease) in net financial assets		3,199,808	(7,592,085)	983,740
Net financial assets, beginning of year Net financial assets (debt), end of year	<u>\$</u>	6,895,326 10,095,134	6,895,326 (696,759) \$	5,911,586 6,895,326
# City of West Kelowna Consolidated statement of cash flows

Tear chaca becember 51, 2020, with comparative more	natic	2020	2019
Cash provided by (used for)			
Operating activities			
Annual surplus	\$	<b>11,116,519</b> \$	4,107,846
Adjustment for non cash items	-		
Amortization of tangible capital assets		12,384,766	11,856,221
Actuarial adjustment on debt		(701,228)	(709,199)
Loss on disposal of tangible capital assets		205,521	12,289
(Increase) decrease in			
Accounts receivable		(416,949)	2,919,016
Prepaid expenses and inventory		88,379	114,330
Increase (decrease) in			
Accounts payable and accrued liabilities		7,351,152	(3,073,942)
Security deposits		(19,866)	793,223
Deferred development cost charges		3,388,570	4,068,658
Deferred revenue		(2,274,764)	298,358
	_	31,122,100	20,386,800
Financing activities			
Proceeds from debt		518,274	-
Repayment of debt		(1,564,039)	(1 <i>,</i> 547,830)
		(1,045,765)	(1,547,830)
Capital activities			
Acquisition of tangible capital assets and work in progress		(20,595,377)	(15,106,946)
		(20,595,377)	(15,106,946)
Increase in cash and cash equivalents		9,480,958	3,732,024
Cash and cash equivalents, beginning of year	_	56,060,232	52,328,208
Cash and cash equivalents, end of year	<u>\$</u>	<b>65,541,190</b> \$	56,060,232
Supplementary cash flow information Interest paid	\$	<b>790,808</b> \$	965,472

#### 1. Nature of operations

The City of West Kelowna ("the City") is a local government situated in the province of British Columbia, Canada. The City is subject to the laws and regulations of the provincial statutes of the *Community Charter*, the *Local Government Act*. West Kelowna was officially incorporated as Westside District Municipality on December 6, 2007. In 2008, the name was changed to District of West Kelowna. On June 26, 2015, West Kelowna was reclassified from District to Municipality. At that time, the City had become British Columbia's 51st city. The City provides community services to its taxpayers and is responsible for creating and maintaining an infrastructure to serve a population in excess of the full time residents.

The pandemic continues to provide uncertainty over the City's future cash flows, and may have a significant impact on the City's future operations. Potential impacts on the City's business could include future decreases in revenue, impairment of investments or reduction in investment income, and delays in completing capital project work. The situation is dynamic and the ultimate duration and magnitude of the impact on the economy and the financial effects of the City is not known at this time.

#### 2. Summary of significant accounting policies

The following is a summary of the City's significant accounting policies:

#### a) Basis of consolidation

The City's resources and operations are segregated into General, Water, Sewer, Storm Drainage, Statutory Reserve and Non-statutory Reserve Funds for accounting and financial reporting purposes. The financial statements include all of the accounts of these funds. All interfund transactions and balances have been eliminated within the financial statements.

#### b) Basis of accounting

The financial statements are prepared using the accrual basis of accounting and are the responsibility of and prepared by management in accordance with Canadian public sector accounting standards ("PSAS"). The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

#### c) Cash and cash equivalents

Management classifies all term deposits and highly liquid investments that are cashable on demand as cash equivalents.

### 2. Summary of significant accounting policies (continued)

### d) Tangible capital assets

Tangible capital assets are initially recorded at cost which includes all amounts that are directly attributable to the acquisition, construction, development or betterment of the asset. The City does not capitalize interest associated with the acquisition or construction of tangible capital assets. The cost, less residual value, of the tangible capital assets, excluding land, is amortized on a straight-line basis over their estimated useful lives as follows:

Asset class	Estimated useful life
Buildings	25-50 years
Building improvements	5-30 years
Computer	3-25 years
Infrastructure	3-20 years
Machinery	10-20 years
Office furniture and equipment	10-25 years
Roads	40 years
Sewer infrastructure	20-100 years
Sidewalks	50 years
Small tools and equipment	5-25 years
Solid waste carts	25 years
Storm drains	10-50 years
Vehicles	10-20 years
Water infrastructure	15-100 years

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and are also recorded as revenue.

The City has numerous works of art located throughout the City which are not reflected in these financial statements due to the subjectivity as to their value.

Tangible capital assets constructed and contributed by developers are recorded at their fair value and are capitalized into tangible capital assets and reflected in the statement of operations and accumulated surplus as revenue.

### e) Work in progress

Work in progress represents capital projects under construction but not yet completed and are recorded at cost. Work in progress is not amortized. Amortization of these assets will commence when the asset is put into service.

### f) Prepaid expenses and inventory

Prepaid expenses consist of amounts paid related to future years' expenses. Inventory consists of supplies held for construction use and are recorded at lower of cost or replacement cost.

### 2. Summary of significant accounting policies (continued)

### g) Employee future benefits

The City and its employees make contributions to the Municipal Pension Plan. As this plan is a multi-employer plan, the City's contributions are expensed as incurred.

Sick leave and other retirement benefits are also available to the City's employees. The costs of these benefits are determined based on service and best estimates of retirement ages and expected future salary and wage increases. The obligations under these benefit plans are accrued based on projected benefits as the employees render services necessary to earn future benefits.

### h) Deferred development cost charges ("DCC's")

Pursuant to the provisions of the Local Government Act, DCC's are held in statutory reserve funds for the purpose for which the charges have been imposed. When the related costs are incurred, the DCC's are recognized as revenue. Because these funds are restricted in nature they are shown as a liability.

### i) Debt

Outstanding debt is reported net of applicable sinking fund balances.

Interest on debt is charged to current operations. Interest charges are accrued for the period from the date of the latest interest payment to the end of the year.

### j) Municipal Finance Authority debt reserve deposits

The City issues its debt instruments through the Municipal Finance Authority. As a condition of these borrowings, a portion of the debenture proceeds are withheld by the Municipal Finance Authority as a debt reserve fund. The City also executes demand notes in connection with each debenture whereby the City may be required to loan certain amounts to the Municipal Finance Authority. These amounts are contingent in nature and are not reflected in these accounts. The details of the cash deposits and demand notes at year end are as follows:

	De	mand notes	Cash deposit	S	2020	2019
General Fund	\$	350,582 \$	167,834	\$	518,416	\$ 515,032
Water Funds		11,423	5,722	<u>)</u>	17,145	17,030
Sewer Fund		434,732	236,752	<u> </u>	671,484	762,346
	\$	796,737 \$	410,308	\$	1,207,045	\$ 1,294,408

### k) Reserve funds

Non-statutory reserves represent an appropriation of surplus for specific purposes. Reserves for future expenses represent funds that are available to temporarily finance operations until planned revenues (i.e. property taxes, grants, etc.) are received, or for other operating or capital purposes as determined by Council. Statutory reserves have been established by bylaw in accordance with the *Community Charter* and their use is restricted by legislation.

### 2. Summary of significant accounting policies (continued)

### I) Revenue recognition

Taxation revenues are recorded on the accrual basis and recognized in the year they are levied. Sale of services and regulatory fees are recognized when the service or product is provided by the City. Government transfers are recognized as revenue in the period that the transfer is authorized, eligibility criteria or stipulations, if any, have been met by the City, and a reasonable estimate of the amount to be received can be made. Other revenue from own services is recorded as it is earned and measurable. Amounts that have been received in advance of services being rendered are recorded as deferred revenue until the City discharges the obligation that led to the collection of funds.

### m) Budget figures

The budget figures are from the City's 10-Year Financial Plan Bylaw, adopted before May 15th of each year. Subsequent amendments have been authorized by Council to reflect changes in the budget as required by law. Such amendments are not reflected in the financial statement budget figures (Note 17).

### n) Use of estimates

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts, and disclosure of, assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Areas requiring the use of management estimates relate to the determination of payroll liabilities, the existence and measurement of any contingent liabilities and tangible capital asset estimated useful life and related amortization expense. Actual results could differ from management's best estimates as additional information becomes available. Adjustments, if any, will be reflected in the financial statements in the period that the change in estimate is made, as well as the period of settlement if the amount is different.

### o) Liability for contaminated sites

Contaminated sites are a result of contamination being introduced into air, soil, water or sediment of a chemical, organic or radioactive material or live organism that exceeds an environmental standard. The liability is recorded net of any expected recoveries. A liability for remediation of contaminated sites is recognized when all of the following criteria are met:

- an environmental standard exists;
- contamination exceeds the environmental standard;
- the City is directly responsible and accepts responsibility;
- it is expected that future economic benefits will be given up; and
- a reasonable estimate of the amount can be made.

The liability includes all costs directly attributable to remediation activities including post remediation operations, maintenance and monitoring.

### 2. Summary of significant accounting policies (continued)

### p) Segmented disclosure

A segment is defined as distinguishable activity of group of activities of a government for which it is appropriate to separately report financial information to achieve the objectives of the standard. The City has provided definitions of segments as well as presented financial information in segmented format in Note 16 and Schedule 3.

### 3. Financial assets - Cash and cash equivalents

Cash and cash equivalents held by the City include cash with an average interest rate of 1.33% (2019 - 2.19%).

### 4. Financial assets - Accounts receivable

	2020	2019
Property taxes	\$ <b>3,251,324</b> \$	2,926,110
Federal government	617,644	422,705
Provincial government	3,868,321	4,515,245
Other governments	831	743
Sewer	5,582,470	6,037,871
Utilities	4,468,397	4,102,153
Other	 989,137	356,348
	\$ <b>18,778,124</b> \$	18,361,175

#### 5. Liabilities - Accounts payable and accrued liabilities

	2020	2019
Trade	\$ <b>1,957,177</b> \$	4,422,962
Wages and payroll	2,835,980	2,159,573
Accrued liabilities	358,419	673,012
Provincial government - school tax	5,758,109	-
Other governments	4,262,450	645,316
Other	 358,802	278,922
	\$ <b>15,530,937</b> \$	8,179,785

### 6. Liabilities - Deferred revenue

		2020	2019
Property taxes	\$	<b>3,363,587</b> \$	2,979,148
Recreation program fees		133,781	196,491
Cemetery perpetual care fund		167,122	148,106
Utility fees		218,752	171,456
Other		10,811,228	13,474,033
	<u>\$</u>	<b>14,694,470</b> \$	16,969,234

As at December 31, 2020, other deferred revenue includes \$10,743,647 (2019 - \$13,378,656) received from the provincial government in respect of the City's 2018-2022 water infrastructure project.

## 7. Liabilities - Deferred development cost charges ("DCC's")

		2020	2019
Balance, beginning of year Contributions from developers Interest on investments Bylaw expenditures	\$	16,036,488 \$ 3,532,108 168,585 (312,123)	11,967,830 4,952,674 270,728 (1,154,744)
Balance, end of year	<u>\$</u>	<b>19,425,058</b>	16,036,488
DCC's are comprised of the following:		2020	2019
Roads	\$	<b>10,061,343</b> \$	8,158,718
Water		7,085,198	6,673,224
Parks		2,139,662	1,155,612
Sewer		72,713	48,699
Storm Sewer		66,142	235
	\$	<b>19,425,058</b> \$	16,036,488

#### 8. Liabiities - Equipment debt

During the year ending December 31, 2020, the City entered into an Equipment Financing Loan Agreement with the Municipal Finance Authority of BC (MFA). The loan is to be repaid in monthly blended payments of \$6,478 with a maturity date of April 30, 2025. Estimated principal payments on the loan for the duration of the term are as follows:

2021	2021 2022		2024	2025		
\$ 73,352 \$	74,471 \$	75,607 \$	76,757 \$	22,555		

Interest is charged on a daily floating rate basis and compounded monthly. At year end, the current floating rate was 1.38% per annum. Interest paid during the year was \$3,132 (2019 - \$nil).

### 9. Liabilities - Long-term debt

	Current interest rate (%)	Year of Maturity	Balance, beginning of year	Additions	Sinking fund payments	Actuarial adjustment	Balance, end of year
General fund							
MFA issue #95	1.80	2025 \$	5 1,257,526	\$-	\$ 120,896	\$ 71,089	\$ 1,065,541
MFA issue #105	2.25	2029	4,930,195	-	277,414	133,227	4,519,554
		-	6,187,721	-	398,310	204,316	5,585,095
Water funds							
MFA issue #101	2.25	2027	121,375	-	8,228	4,945	108,202
MFA issue #103	2.65	2028	76,891	-	4,720	2,546	69,625
Province of BC	4.95	2027	5,419,996	-	612,509		4,807,487
		-	5,618,262	-	625,457	7,491	4,985,314
Sewer fund							
MFA issue #73	1.67	2020	5,676	-	2,516	3,160	-
MFA issue #73	1.67	2020	118,269	-	52,425	65,844	-
MFA issue #74	1.75	2021	95,193	-	19,295	27,140	48,758
MFA issue #74	1.75	2021	25,021	-	5,072	7,134	12,815
MFA issue #74	1.75	2021	29,393	-	5 <i>,</i> 958	8,379	15,056
MFA issue #74	1.75	2021	10,445	-	2,117	2,978	5,350
MFA issue #74	1.75	2021	11,265	-	2,283	3,212	5,770
MFA issue #74	1.75	2021	21,008	-	4,258	5,990	10,760
MFA issue #75	1.75	2021	3,879	-	786	1,106	1,987
MFA issue #75	1.75	2021	141,744	-	28,730	40,413	72,601
MFA issue #75	1.75	2021	56,996	-	11,553	16,250	29,193
MFA issue #77	1.75	2022	418,466	-	57,915	74,827	285,724
MFA issue #79	2.25	2023	557,590	-	59,265	70,103	428,222
MFA issue #85	2.25	2024	330,776	-	28,795	31,067	270,914

## 9. Liabilities - Long-term debt (continued)

MFA issue #85	2.25	2024	\$ 20,844	\$-	ç	5 1,815	\$ 1,958	\$ 17,071
MFA issue #95	1.80	2025	352,751	-		33,913	19,941	298,897
MFA issue #99	1.75	2027	8,675	-		660	439	7,576
MFA issue #99	1.75	2027	571,197	-		43,433	28,886	498,878
MFA issue #101	2.25	2027	1,286,572	-		87,212	52,417	1,146,943
MFA issue #101	2.25	2027	301,356	-		20,428	12,278	268,650
MFA issue #101	2.25	2027	390,232			26,452	15,899	347,881
			4,757,348	-		494,881	489,421	3,773,046
Total long-term debt			\$ 16,563,331	<u>\$</u> -	<u></u>	5 1,518,648	\$ 701,228	<u>\$ 14,343,455</u>

The requirements for future repayments of principal on existing debt for the next five years are as follows:

	2021	2022	2023	2024	2025
General Fund	\$ 411,421	\$ 411,421	\$ 411,421	\$ 411,421	\$ 411,421
Water Funds	656,330	688,760	722,825	758,607	796,192
Sewer Fund	 443,616	 363,564	 305,649	 246,384	 215,775
	\$ 1,511,367	\$ 1,463,745	\$ 1,439,895	\$ 1,416,412	\$ 1,423,388

### 10. Tangible capital assets and work in progress

Comparel	<b>2020</b> 20 <b>Net book value</b> Net book va						
General Land Buildings Equipment Engineering structures	\$	110,873,279 28,865,061 9,367,032 110,170,153 259,275,525		110,188,962 29,826,398 7,179,398 112,709,871 259,904,629			
Water infrastructure		59,405,998		60,851,046			
Sewer infrastructure		50,869,474		51,918,690			
Tangible capital assets	<u>\$</u>	369,550,997	<u>\$</u>	372,674,365			
Work in progress	<u>\$</u>	15,798,444	<u>\$</u>	4,669,986			
Tangible capital assets and work in progress (Schedule 1)	<u>\$</u>	385,349,441	<u>\$</u>	377,344,351			

### 11. Taxation - net

Taxation revenue comprises the following amounts collected less transfers to other governments:

		2020	2019
General municipal purposes	\$	<b>35,860,409</b> \$	34,603,407
Collections for other governments			
Provincial Government - Schools		14,995,513	15,768,358
Central Okanagan Regional Hospital District		2,817,754	2,658,959
Regional District of the Central Okanagan		3,684,139	3,553,276
British Columbia Assessment Authority		480,319	436,254
Municipal Finance Authority		2,196	2,153
		57,840,330	57,022,407
Transfers to other governments			
Provincial Government - Schools		(14,995,513)	(15,768,358)
Central Okanagan Regional Hospital District		(2,817,754)	(2,658,959)
Regional District of the Central Okanagan		(3,684,139)	(3,553,276)
British Columbia Assessment Authority		(480,319)	(436,254)
Municipal Finance Authority		(2,196)	(2,153)
		(21,979,921)	(22,419,000)
	<u>\$</u>	<b>35,860,409</b> \$	34,603,407
<b>12. Government transfers</b> Provincial unconditional transfers (repayments)		2020	2019
Other		82,982	64,600
		82,982	64,600
Provincial conditional transfers			<u> </u>
Okanagan Basin Water Board grant		43,408	(25,730)
Safe Start grant		4,602,000	-
Clean water fund grant		5,779,699	-
Other		263,549	50,000
		10,688,656	24,270
Federal unconditional transfers			
Traffic fine revenue sharing grant and Federal grants		271,978	578,691
Federal conditional transfers			
Gas tax community works fund		1,430,292	2,466,710
Total transfers from other governments	<u>\$</u>	<b>12,473,908</b> \$	3,134,271

### 13. Revenue - other

		2020	2019
DCC contributions (Note 7)	\$	<b>312,123</b> \$	1,154,744
Cost recoveries		1,789,461	2,057,465
Development permits		1,113,229	1,614,732
Interest		507,494	970,280
Actuarial adjustment on long-term debt (Note 9)		701,228	709,197
Licenses and permits		272,818	281,949
Penalties and interest on taxes		299,590	525,502
Rentals		528,110	532,052
Donations		21,024	816,812
Other		347,774	182,530
	<u>\$</u>	<b>5,892,851</b> \$	8,845,263

The City has entered into contracts or agreements in the normal course of operations that it expects will result in the realization of assets and revenues in future fiscal years. The amounts these agreements are shown in Rentals above.

### 14. Contingent liabilities

### **Regional District of Central Okanagan**

Regional District debt is, under the provisions of the Local Government Act, a direct, joint and several liability of the City and each member municipality within the Regional District, including the City of West Kelowna. The loan agreements with the Regional District of Central Okanagan and the Municipal Finance Authority provide that if at any time the scheduled payments provided for in the agreements are not sufficient to meet the Authority's obligation with respect to such borrowing, the resulting deficiency becomes a liability of the member municipalities. As at December 31, 2020, the City does not anticipate being required to assume any of the Regional District's debt.

### **Municipal Insurance Association**

The City is a participant in the Municipal Insurance Association of British Columbia (the "Association"). Should the Association pay out claims in excess of premiums received, it is possible that the City, along with the other participants, would be required to contribute towards the deficit. Management does not consider external payments under this contingency to be likely and therefore no amounts have been accrued.

### Legal actions

The nature of the City's operations are such that the City is subject to potential or ongoing litigation, the outcome of which is not determinable at this time. Accordingly, no provision has been made in the accounts for these actions. The amount of loss, if any, arising from ongoing litigation will be recorded in the accounts in the period in which the loss is realized. The City has insurance policies and financial reserves to offset associated risks.

### 14. Contingent liabilities (continued)

### Pension

The City and its employees contribute to the Municipal Pension Plan (a jointly trusteed pension plan). The board of trustees, representing plan members and employers, is responsible for administering the plan, including investment of assets and administration of benefits. The plan is a multi-employer defined benefit pension plan. Basic pension benefits provided are based on a formula. As at December 31, 2019, the plan has about 213,000 active members and approximately 106,000 retired members. Active members include approximately 41,000 contributors from local governments.

Every three years, an actuarial valuation is performed to assess the financial position of the Plan and adequacy of plan funding. The actuary determines an appropriate combined employer and member contribution rate to fund the plan. The actuary's calculated contribution rate is based on the entry-age normal cost method, which produces the long-term rate of member and employer contributions sufficient to provide benefits for average future entrants to the plan. This rate may be adjusted for the amortization of any actuarial funding surplus and will be adjusted for the amortization of any unfunded actuarial liability.

The most recent valuation for the Municipal Pension Plan as at December 31, 2018, indicated a \$2,866 million funding surplus for basic pension benefits on a going concern basis.

The City paid \$1,913,260 (2019-\$1,671,513) for employer contributions while employees contributed \$1,579,085 (2019-\$1,382,050) to the plan in fiscal 2020.

The next valuation will be as at December 31, 2021 with results available later in 2022.

Employers participating in the plan record their pension expense as the amount of employer contributions made during the fiscal year (defined contribution pension plan accounting). This is because the plan records accrued liabilities and accrued assets for the plan in aggregate, resulting in no consistent and reliable basis for allocating the obligation, assets and cost to the individual employers participating in the plan.

### 15. Commitments

The City has entered into various operating leases for equipment and payments under contracts for services with terms varying from one to five years. The total lease commitments payable in each of the next five years are as follows:

2021	\$ 1,242,041
2022	\$ 898,070
2023	\$ 664,895
2024	\$ 114,230
2025	\$ 51,810
	\$ 2,971,046

### 15. Commitments (continued)

#### Vacation pay and sick leave

Vacation pay, which may be accumulated up to 10 days, is charged to expense in the year earned. The ALGEU Collective Agreement allows for the accumulation of sick leave to a maximum of 100 days, it is expensed in the year it is accumulated. Earned sick leave vests after 10 years of employment and is paid to a maximum of 50 days. Accrued earned sick leave and vacation pay is included in wages and payroll liabilities.

#### **Letters of Credit**

The City is holding letters of credit in the amount of \$5,198,070 (2019-\$4,478,124), which are received as security related to performance deposits.

#### **Operating Line**

The City has revolving credit facilities with two Canadian chartered banks providing for borrowing of up to \$8,000,000 (2019 - \$2,000,000). The facilities bear interest at the bank prime rate less 0.5% and are due on demand. As at December 31, 2020, the \$nil (2019 - \$nil) has been drawn on these facilities.

#### 16. Segmented information

The City of West Kelowna is a diversified municipal government that provides a wide range of services to its citizens. The City's operations and activities are organized and reported by funds and departments. The General Fund reports on operations, funded primarily by property taxes, which include services provided by the City such as general government services, protective services, transportation services, environmental health and developmental services, and recreation and cultural services. The utility operations are comprised of the water, sewer and storm drainage systems, each accounting for its own operations and programs within their own funds. Operating results reported by the following segments are included in Schedule 3.

The various segments are described as follows:

#### a) General government services

This segment is responsible for a number of different functions including Legislative Services, Administration, Finance and Information Services. Legislative services involves staff working closely with Council and community partners to coordinate the delivery of a wide range of functions and services. Administration is responsible for the Human Resources function, which oversees the recruitment and retention of people, management of labour relations, administration of collective agreements, employee compensation and benefit programs, staff training and development, employee health and safety and Work Safe BC regulations. Finance is responsible for the requisition of tax revenues from the Province and other taxing authorities and all treasury and accounting functions. Information Services includes an all-encompassing computer database and mapping system for properties in the City, which is used by City departments, other government agencies and members of the public.

#### 16. Segmented information (continued)

#### b) Protective services

This segment is responsible for all the various services provided by the RCMP, Fire Services and Bylaw Enforcement designed to protect the lives and property of both citizens and visitors with a focus on emergency response, law enforcement, search and rescue, education and prevention.

#### c) Transportation services

This segment is responsible for roads and maintenance, street lighting, traffic management and transit system.

#### d) Environmental health and development services

This segment is responsible for delivering health, planning and development services to the City. The specific functions include planning, building permits and inspections, business licensing, design and engineering services as well as tourism and economic development.

#### e) Recreation and cultural services

This segment is responsible for recreational program design, delivery and management, municipal facilities/parks development and maintenance and museum operations, as well as coordination of many recreational/sporting activities and groups.

### f) Water services

This segment is responsible for the operation and maintenance of the five water systems that provide water services to the residents and businesses within the municipal boundaries of the City.

#### g) Sewer services

This segment is responsible for the operation and maintenance of the sewer collection system within the municipal boundaries of the City.

#### h) Storm drainage

This segment is responsible for the operation and maintenance of the storm drainage collection system within the municipal boundaries of the City.

### 17. Budget

The budget amounts presented reflect the statutory financial plan as adopted by Council on April 7, 2020, adjusted for amortization and other items for comparability with the actual results. The following table reconciles the balanced statutory financial plan to the budget surplus reported on the statement of operations and accumulated surplus.

Surplus as per 10 year Financial Plan Bylaw No. 0263, 2019	\$	-
Adjust for non-operating items included in Financial Plan: Acquisition of tangible capital assets Repayment of principal portion of long-term debt Net transfers from reserves		106,507,127 1,518,648 (35,091,989) 72,933,786
Adjust for operating items excluded in Financial Plan: Amortization		(12,384,766) (12,384,766)
Budget surplus as per the statement of operations and accumulated surplus	<u>\$</u>	60,549,020

## City of West Kelowna Schedule 1 - Schedule of tangible capital assets and work in progress December 31, 2020

				Equipment Engineering structures					structures						
	Land	Buildings & Improvements	Computer	Machinery	furniture &	Small tools & equipment	Vehicles	Solid waste carts	Infrastructure	Roads	Sidewalks	Storm drains	Water Infrastructure	Sewer Infrastructure	Total
Cost, beginning of year Additions Disposals <b>Cost, end of year</b>	\$110,188,962 684,317 - <b>110,873,279</b>	\$ 44,210,459 139,869 - 44,350,328	\$ 4,907,301 630,873 - <b>5,538,174</b>	\$ 2,390,455 898,450 (4,200) <b>3,284,705</b>	\$ 839,496 - - <b>839,496</b>	\$ 1,773,986 109,707 - <b>1,883,693</b>	\$ 9,529,934 2,202,896 (467,786) <b>11,265,044</b>	\$ 1,537,145 - - <b>1,537,145</b>	\$ 15,766,159 449,388 - <b>16,215,547</b>	\$244,079,550 3,919,290 (999,480) <b>246,999,360</b>	\$ 8,901,535 - - <b>8,901,535</b>	\$ 5,051,285 104,045 - <b>5,155,330</b>	\$ 93,897,581 288,622 - 94,186,203	\$ 68,717,342 39,462 - 68,756,803	\$ 611,791,188 9,466,919 (1,471,466) 619,786,641
Accumulated amortization, beginning of year Amortization Disposals Accumulated amortization, end of year	- - -	14,384,061 1,101,206 - <b>15,485,267</b>	4,065,662 597,710 - <b>4,663,372</b>	1,434,402 261,875 (4,200) <b>1,692,077</b>	591,347 15,513 - <b>606,860</b>	1,221,984 158,691 - <b>1,380,675</b>	5,816,738 559,018 (467,786) <b>5,907,970</b>	668,785 61,485 - <b>730,270</b>	4,224,647 883,506 - <b>5,108,153</b>	152,914,267 5,446,233 (793,959) <b>157,566,541</b>	2,348,443 178,040 - <b>2,526,483</b>	1,601,301 299,141 - <b>1,900,442</b>	33,046,535 1,733,670 - <b>34,780,205</b>	16,798,651 1,088,678 - 17,887,329	239,116,823 12,384,766 (1,265,945) <b>250,235,644</b>
Net book value, end of year	<u>\$110.873.279</u>	<u>\$ 28.865.061</u>	<u>\$ 874.802</u>	<u>\$ 1.592.628</u>	<u>\$ 232.636</u>	<u>\$ 503.018</u>	<u>\$ 5.357.074</u>	<u>\$ 806.875</u>	<u>\$ 11.107.394</u>	<u>\$ 89.432.819</u>	<u>\$ 6.375.052</u>	<u>\$ 3.254.888</u>	<u>\$ 59.405.998</u>	<u>\$ 50.869.474</u>	<u>\$ 369.550.997</u>
Work in progress	<u>\$_</u>	<u>\$                                    </u>	<u>\$ 72.364</u>	<u>s -</u>	<u>s -</u>	<u>\$ 75.333</u>	<u>\$ 42.201</u>	<u>s -</u>	<u>\$ 471.925</u>	<u>\$ 3.796.619</u>	<u>\$ 461.896</u>	<u>\$ 306.861</u>	<u>\$ 9.781.815</u>	<u>\$ 198.902</u>	<u>\$ 15.798.444</u>
Tangible capital assets and work in progress	<u>\$110.873.279</u>	<u>\$ 29.455.589</u>	<u>\$ 947.166</u>	<u>\$ 1.592.628</u>	<u>\$ 232.636</u>	<u>\$                                    </u>	<u>\$ 5.399.275</u>	<u>\$ 806.875</u>	<u>\$ 11.579.319</u>	<u>\$ 93,229,438</u>	<u>\$ 6.836.948</u>	<u>\$ 3,561,749</u>	<u>\$ 69.187.813</u>	<u>\$                                    </u>	<u>\$ 385.349.441</u>

## City of West Kelowna Schedule 2 - Schedule of accumulated surplus December 31, 2020

	Balance, beginning of		Transfer		Balance, end
	year	to	from	Interest	of year
Reserves					
Capital - general	4,689,694	4,527,616	(4,422,073)	64,619	4,859,856
Capital - water	3,274,062	1,927,434	(511,781)	47,838	4,737,553
Capital - sewer	215,498	450,000	(99,462)	3,764	569,800
Community projects	2,441,608	2,849,789	(2,085,377)	37,557	3,243,577
Equipment replacement	3,515,592	1,220,000	(2,264,038)	42,271	2,513,825
Future expenses	1,608,615	450,000	(527,706)	21,040	1,551,949
Municipal facilities	5,496,558	700,000	-	77,759	6,274,317
Other	6,130,553	28,418,268	(19,129,477)	23,525	15,442,869
Policing	553,560	-	-	7,362	560,922
Property acquisition	132,333	-	-	1,760	134,093
Recreation	255,500	107,116	(77 <i>,</i> 485)	3,401	288,532
Road maintenance and snow clearing	643,484	-	-	8,558	652,042
Storm drainage	195,561	-	(60,000)	2,202	137,763
	29,152,618	40,650,223	(29,177,399)	341,656	40,967,098
Investment in non-financial assets					
Investment in tangible capital assets	356,131,408	11,686,804	(12,384,765)	-	355,433,447
Accumulated surplus	\$385,284,026	<u>\$ 52,337,027</u>	<u>\$ (41,562,164)</u>	<u>\$                                    </u>	<u>\$396,400,545</u>

## City of West Kelowna Schedule 3 - Schedule of segment disclosure December 31, 2020

			General Fund							
				Environmental						
	General			health &	Recreation &					
	government	Protective	Transportation	development	cultural	Water	Sewer	Storm		
	services	services	services	services	services	services	services	drainage	2020 Totals	2019 Totals
Revenue										
Taxation-net	\$ 11,412,350						\$-\$	348,831 <b>\$</b>	35,860,409	
Sale of services and regulatory fees	-	2,236,803	568,484	3,221,478	1,606,514	11,416,630	5,368,323	-	24,418,233	23,145,843
Government transfers	6,378,371	271,978	454	-	-	5,779,699	43,408	-	12,473,908	3,134,273
Other	2,213,698	868,904	193,880	1,142,403	708,492	276,055	489,421	-	5,892,851	8,845,262
Total revenue	20,004,419	14,881,345	4,774,873	7,435,523	7,826,877	17,472,384	5,901,152	348,831	78,645,401	69,728,784
Expenses										
Amortization of tangible assets	9,434,123	-	-	47,961	-	1,814,004	1,088,678	-	12,384,766	11,856,221
Building and grounds maintenance	345,356	72,888	-	-	292,344	222,640	1,091	-	934,319	963,576
Civic grants	352,721	-	-	-	-	-	-	-	352,721	445,283
Contract services	578,538	472,180	2,573,716	1,939,313	1,512,371	787,993	3,884,940	119,840	11,868,891	12,354,111
Interest on long-term debt	248,197	-	-	-	-	238,808	303,803	-	790,808	965,472
Equipment maintenance and fuel	498,541	253,148	107,189	12,743	236,354	378,111	41,228	38,218	1,565,532	1,562,111
Library	-	-	-	-	1,600,118	-	-	-	1,600,118	1,529,052
Recoverable Emergency Operations		1,315,350							1,315,350	1,806,527
RCMP E-Division Contract	-	5,387,476	-	-	-	-	-	-	5,387,476	4,479,358
Supplies, small tools and equipment	674,148	401,879	147,933	116,547	310,087	1,141,960	96,171	34,577	2,923,302	2,339,995
Transit	-	-	1,830,136	-	-	-	-	-	1,830,136	2,040,995
Utilities	177,149	138,729	256,280	5,805	675,776	483,978	73,838	-	1,811,555	1,826,676
Wages, benefits & professional development	4,416,388	9,729,010	893,315	2,451,678	3,376,547	3,004,152	718,560	174,258	24,763,908	23,451,561
Total expenses	16,725,161	17,770,660	5,808,569	4,574,047	8,003,597	8,071,646	6,208,309	366,893	67,528,882	65,620,938
Annual surplus (deficit) for the year	<u>\$ 3,279,258</u>	<u>\$ (2,889,315)</u>	<u>\$ (1,033,696)</u>	\$ 2,861,476	<u>\$ (176,720)</u>	<u>\$ 9,400,738</u>	<u>\$ (307,157)</u> <u>\$</u>	(18,062) <b>\$</b>	11,116,519	5 4,107,846