



URBAN DEVELOPMENT INSTITUTE- OKANAGAN CHAPTER

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April 21, 2016

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Andrew Reeder, Mo Bayat, Purvez Irani and Kevin Van Vliet

Subject: Follow-up on Fire Flow Requirements Meeting

The Urban Development Institute (UDI) is a national association (with international affiliations) of the development industry and its related professions. The corporate members of the UDI - Okanagan Chapter represent hundreds of individuals involved in all facets of land development and planning, including: developers, property managers, financial lenders, lawyers, engineers, planners, architects, appraisers, real estate professionals, local governments and government agencies.

As a Partner in Community Building, the UDI Okanagan Chapter is committed to working with communities and governments to create and achieve the vision of balanced, well-planned, sustainable and affordable communities.

Thank you for meeting with UDI Okanagan representatives on April 8, 2016 to discuss the City of Kelowna's recent administrative change to its fire flow policy. We appreciate having the opportunity to better understand the City's rationale for making this change, to communicate to the City the significant negative impact that this change could have on our members, particularly those with projects in-stream, and to explore potential solutions.

Our key concern at this stage is that this change has taken a number of our members with in-stream applications by complete surprise and they now may face significant additional, unforeseen costs in fire walls or sprinkler installations to their projects, as well as longer processing and redesign timelines. Developers rely on engineers' estimates, which are sourced from the City Engineering Department, supplemented with historical information and will operate under the same set of assumptions that have been trusted for years when determining the appropriate fire flow to model a development site. This approach is widely used throughout the development community and is based on the trust and operating practices that have been established between the development community and the municipality over the years.

When there is a sudden change in the way the City implements a bylaw, which results in significant cost increases for the development community with no prior consultation or warning, this can put developers with in-stream applications in a difficult situation and potentially put them at risk with their projects.

Given the situation that many projects are now in, and the shared recognition between UDI Okanagan and the City of the value of a positive working relationship, we are grateful that the City has agreed to reconsider in-stream projects further internally and will provide us with a response and clarification on how these applications will be handled. By in-stream applications, we are referring to anything with an approved Development Permit. We believe that all of these in-stream applications should be provided with a grandfathering/exemption and be able to

proceed with the design that was established at the time that their Development Permit was approved. Effectively, these projects would be treated in whatever method the City intends to treat completed projects which relied on historically supplied fire flow information.

Going forward, we would like to emphasize our suggestion that the City proactively notify applicants as soon as possible about the new minimum fire flow rates. This would include any applications at pre-application or Development Permit submission.

We also discussed the situations where the City is not able to provide the minimum bylaw fire flows to what a given site is zoned for. One potential approach that we suggested is for the City to provide the developer with the option of receiving a Water Development Cost Charge (DCC) reduction if the developer chooses to fix it. We also suggested that even if the developer does not choose to fix the City's water main system but still incurs additional costs due to the City not being able to provide the minimum flow, that there be some type of recompense provided to the developer. We would appreciate any further feedback that the City is able to provide on how this would be handled.

Finally, we continue to have questions and reservations surrounding the engineering behind how the City is measuring and mandating minimum flows, whether it is realistic to have all buildings designed to minimum fire flow requirements, and the various unknown outcomes that exist with this change that to date have not been discussed by Council or the general public. With this change, not only is there significant cost and design implications to the development industry, the City could face liability regarding historical systems, discourage infill development to the densities desired by Council, and lose out on associated developer upgrades to the municipal water system. As a next step, we suggest meeting again after the City has had a chance to discuss internally and respond to these initial questions.

We appreciate the City's continued openness and willingness to work with us on this important matter. We look forward to the City's response and would welcome any further opportunities for input.

Sincerely

URBAN DEVELOPMENT INSTITUTE OKANAGAN CHAPTER

A handwritten signature in black ink, appearing to read 'Andrew Gaucher', with a long horizontal flourish extending to the right.

Per: Andrew Gaucher, Chair of UDI Okanagan