

City of Kelowna

Public Hearing

AGENDA



Tuesday, February 23, 2021

6:00 pm

Council Chamber

City Hall, 1435 Water Street

Pages

1. Due to COVID-19 a Public Hearing Agenda will also include Regular Meeting Items
2. Call to Order the Public Hearing - START TIME 6:00 PM - Hwy 97 N 2690 - LUCT20-0002 (BL12067) Z20-0061 (BL12068) - Miltco Investments Limited, Inc.No. 0111450

THE CHAIR WILL CALL THE HEARING TO ORDER:

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

Council has been provided with the information, correspondence, petitions or reports that have been received concerning the subject bylaws. This information is available to the public online at Kelowna.ca/council or by request to the Office of the City Clerk.

For those participating this evening, or who have already submitted letters to Council, a reminder that this Hearing is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

In accordance with Order of the Provincial Health Officer on Gatherings and Events, applicants and the public are not permitted to attend in person. Participation by applicants and the public will be by electronic means only. Thank you for your co-operation.

Following the close of the Public Hearing, no further information from the applicant or members of the public will be accepted by Council.

3. Individual Bylaw Submissions

- 3.1. START TIME 6:00 PM - Hwy 97 N 2690 - LUCT20-0002 (BL12067) Z20-0061 (BL12068) - Miltco Investments Limited, Inc.No. 0111450

8 - 25

To proceed with early termination of Land Use Contract 75-76 and to consider an

application to rezone the subject property.

4. Termination

5. Call to Order the Regular Meeting

6. Bylaws Considered at Public Hearing

6.1. START TIME 6:00 PM - Hwy 97 N 2690 - BL12067 (LUCT20-0002) - Miltco Investments Limited, Inc. No. 0111450 26 - 26

To give Bylaw No. 12067 second and third reading in order to proceed with early termination of Land Use Contract 75-76.

6.2. START TIME 6:00 PM - Hwy 97 N 2690 - BL12068 (Z20-0061) - Miltco Investments Limited, Inc.No. 0111450 27 - 28

To give Bylaw No. 12068 second and third reading in order to rezone a portion of the subject property from the A1 - Agriculture 1 zone to the C10 - Service Commercial zone.

7. Termination

8. Call to Order the Public Hearing - START TIME 6:00 PM - Fenwick Rd 2821 - LUCT20-0008 (BL12158) Z20-0073 (BL12159) - McIntosh Properties Ltd., Inc.No. 0846631

THE CHAIR WILL CALL THE HEARING TO ORDER:

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

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9. Individual Bylaw Submissions

- 9.1. **START TIME 6:00 PM - Fenwick Rd 2821 - LUCT20-0008 (BL12158) Z20-0073 (BL12159) - McIntosh Properties Ltd., Inc.No. 0846631** 29 - 44

To proceed with early termination of Land Use Contract 77-1004 and to consider an application to rezone the subject property.

10. Termination

11. Call to Order the Regular Meeting

12. Bylaws Considered at Public Hearing

- 12.1. **START TIME 6:00 PM - Fenwick Rd 2821 - BL12158 (LUCT20-0008) McIntosh Properties Ltd., Inc.No. 0846631** 45 - 45

To give Bylaw No. 12158 second and third reading in order to proceed with early termination of Land Use Contract 77-1004.

- 12.2. **START TIME 6:00 PM - Fenwick Rd 2821 - BL12159 (Z20-0073) - McIntosh Properties Ltd., Inc.No. 0846631** 46 - 47

To give Bylaw No. 12159 second and third reading in order to rezone a portion of the subject property from the A1 - Agriculture 1 zone to the I2 - General Industrial zone.

13. Termination

14. Call to Order the Public Hearing - START TIME 6:00 PM - Hwy 97 N 3646-3652 - LUCT20-0009 (BL12160) Z20-0074 (BL12161) - BCJ Properties Ltd., Inc.No. 472355

THE CHAIR WILL CALL THE HEARING TO ORDER:

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

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In accordance with Order of the Provincial Health Officer on Gatherings and Events, applicants and the public are not permitted to attend in person. Participation by applicants and the public will be by electronic means only. Thank you for your co-operation.

Following the close of the Public Hearing, no further information from the applicant or

members of the public will be accepted by Council.

15. Individual Bylaw Submissions

- 15.1. START TIME 6:00 PM - Hwy 97 N 3646-3652 - LUCT20-0009 (BL12160) Z20-0074 (BL12161) - BCJ Properties Ltd., Inc.No. 472355** 48 - 63

To proceed with early termination of Land Use Contract 77-1040 and to consider an application to rezone the subject property.

16. Termination

17. Call to Order the Regular Meeting

18. Bylaws Considered at Public Hearing

- 18.1. START TIME 6:00 PM - Hwy 97 N 3646-3652 - BL12160 (LUCT20-0009) - BCJ Properties Ltd., Inc.No. 472355** 64 - 64

To give Bylaw No. 12160 second and third reading in order to proceed with early termination of Land Use Contract 77-1040.

- 18.2. START TIME 6:00 PM - Hwy 97 N 3646-3652 - BL12161 (Z20-0074) - BCJ Properties Ltd., Inc.No. 472355** 65 - 66

To give Bylaw No. 12161 second and third reading in order to rezone a portion of the subject property from the A1 - Agriculture 1 zone to the I2 - General Industrial zone.

19. Termination

20. Call to Order the Public Hearing - START TIME 6:00 PM - Multiple Addresses - OCP19-0005 (BL11928) Z19-0107 (BL11929) - Multiple Owners

THE CHAIR WILL CALL THE HEARING TO ORDER:

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

Council has been provided with the information, correspondence, petitions or reports that have been received concerning the subject bylaws. This information is available to the public online at Kelowna.ca/council or by request to the Office of the City Clerk.

For those participating this evening, or who have already submitted letters to Council, a reminder that this Hearing is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

In accordance with Order of the Provincial Health Officer on Gatherings and Events,

applicants and the public are not permitted to attend in person. Participation by applicants and the public will be by electronic means only. Thank you for your co-operation.

Following the close of the Public Hearing, no further information from the applicant or members of the public will be accepted by Council.

21. Individual Bylaw Submissions

- 21.1. START TIME 6:00 PM - Multiple Addresses - OCP19-0005 (BL11928) Z19-0107 (BL11929) - Multiple Owners** 67 - 100

To amend the Official Community Plan to change the future land use designation of and to rezone multiple properties to correct boundary discrepancies.

22. Termination

23. Call to Order the Regular Meeting

24. Bylaws Considered at Public Hearing

- 24.1. START TIME 6:00 PM - Multiple Addresses - BL11928 (OCP19-0005) - Multiple Owners** 101 - 106

Requires a majority of all members of Council (5).

To give Bylaw No. 11928 second and third reading in order to change the future land use designations on portions of the subject properties to correct boundary discrepancies as outlined in Schedule "A".

- 24.2. START TIME - 6:00 PM - Multiple Addresses - BL11929 (Z19-0107) - Multiple Owners** 107 - 115

To give Bylaw No. 11929 second and third reading in order to change the zoning on portions of the subject properties to correct boundary discrepancies as outlined in Schedule "B".

25. Termination

26. Call to Order the Public Hearing - START TIME 6:00 PM - Begbie Rd, Union Rd, Glenmore Rd N - OCP20-0018 (BL12163) Z20-0086 (BL12164) - Glenwest Properties Ltd., Inc. No. Co889227

THE CHAIR WILL CALL THE HEARING TO ORDER:

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

Council has been provided with the information, correspondence, petitions or reports that have been received concerning the subject bylaws. This information is available to the

public online at Kelowna.ca/council or by request to the Office of the City Clerk.

For those participating this evening, or who have already submitted letters to Council, a reminder that this Hearing is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

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Following the close of the Public Hearing, no further information from the applicant or members of the public will be accepted by Council.

27. Individual Bylaw Submissions

- 27.1. Begbie Rd, Union Rd, Glenmore Rd N - OCP20-0018 (BL12163) Z20-0086 (BL12164) - Glenwest Properties Ltd., Inc. No. Co889227** 116 - 149

To amend the Official Community Plan Future Land Use designations for portions of the subject properties and rezone portions of the subject properties to facilitate the development of the next development phase of the Wilden Neighbourhood.

28. Termination

29. Call to Order the Regular Meeting

30. Bylaws Considered at Public Hearing

- 30.1. Begbie Rd, Union Rd, Glenmore Rd N - BL12163 (OCP20-0018) - Glenwest Properties Ltd., Inc. No. Co889227** 150 - 152

Requires a majority of all members of Council (5).

To give Bylaw No. 12163 second and third reading and adoption in order to amend the Official Community Plan future land use designations for portions of the subject properties outlined as per Map "A".

- 30.2. Begbie Rd, Union Rd, Glenmore Rd N - BL12164 (Z20-0086) - Glenwest Properties Ltd., Inc. No. Co889227** 153 - 155

To give Bylaw No. 12164 second and third reading and adoption in order to rezone portions of the subject properties outlined as per Map "B".

31. Confirmation of Minutes 156 - 171

Public Hearing - February 2, 2021

Regular Meeting - February 2, 2021

32. Reminders

33. Termination

34. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Development Planning);
- (b) The applicant has up to 15 minutes to make representation to Council regarding the project.
- (c) The Chair will call for representation from the public participating online as follows:
 - (i) Any person wishing to make representation during the Hearing will have the opportunity to do so.
 - (ii) Speakers have up to 5 minutes to share their remarks.
- (d) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to participants that the Public Hearing on the Bylaw is closed.
- (e) Once the public has had an opportunity to comment, the applicant is given up to 10 minutes to respond to any questions raised.
- (f) Questions of staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

Note: Any applicant or member of the public may use electronic visual aids to assist in their presentation or questions. The participant must be able to share their screen to display the item.

REPORT TO COUNCIL



Date: February 1, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: LUCT20-0002 / Z20-0061 **Owner:** Miltco Investments Limited, Inc.No. 0111450

Address: 2690 Hwy 97 N **Applicant:** The City of Kelowna

Subject: Land Use Contract Termination and Rezoning Application

Existing OCP Designation: SC – Service Commercial, IND – Industrial and PARK – Major Park / Open Space (public)

Existing Zone: A1 – Agriculture 1 and C10 – Service Commercial

Proposed Zone: A1 – Agriculture 1 and C10 – Service Commercial

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0002 to terminate LUC75-76 from Lot B District Lots 124 and 125 and of Section 27 Township 26 ODYD Plan KAP92754 Except Plan EPP58799, located at 2690 Hwy 97 N, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0061 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot B District Lots 124 and 125 and of Section 27 Township 26 ODYD Plan KAP92754 Except Plan EPP58799, located at 2690 Hwy 97 N, Kelowna, B.C. from the A1 – Agriculture 1 zone to the C10 – Service Commercial zone as shown in Map "A" attached to the Report from the Development Planning Department dated February 1, 2021 be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's boulevard;

AND FURTHER THAT final adoption of the Rezoning bylaw be considered subsequent to the approval of Ministry of Transportation and Infrastructure.

2.0 Purpose

To proceed with early termination of Land Use Contract 75-76 and to consider an application to rezone the subject property.

3.0 Development Planning

Staff are recommending the Land Use Contract (75-76) be terminated and for the subject property to be rezoned. Portions of the property has the underlying zone of A1 – Agriculture 1 and is not appropriate for the current land use, which is automotive sales. This use is currently permitted in the Land Use Contract, under the former Zoning Bylaw 4500's C12 – Sales Lot zone. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings.

The lot in question is a hooked parcel, with a portion of the parcel north of Enterprise Way and a portion of the parcel south of Enterprise Way. The portion of the parcel north of Enterprise Way is zoned A1 – Agriculture 1, while the portion of the parcel south of Enterprise Way is partly zoned A1 and partly zoned C10 – Service Commercial. Staff recommend that the portion of the parcel south of Enterprise Way zoned A1 be rezoned to C10, such that the entire portion of the parcel south of Enterprise Way be zoned C10.

Further, Staff recommend that the portion of the parcel north of Enterprise Way not be rezoned, but instead remain A1. The reason for this is that this portion of the parcel is within the riparian area of Mill Creek wherein development is prohibited under provincial law. To reinforce this, there is a no-build and no disturb covenant of the property. As this portion of the property cannot be further developed, it should not be rezoned.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Project Description

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property.

4.3 Site Context

The subject property has a total area of 11,906m² and is located on 2690 Hwy 97 N. The property has been designated SC – Service Commercial, IND – Industrial and PARK – Major Park / Open Space (public) in the Official Community Plan. The surrounding area is a mix of SC – Service Commercial, IND – Industrial, COMM – Commercial and PARK – Major Park / Open Space (public).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C10 – Service Commercial and A1 – Agriculture 1	General Service Commercial Businesses, Car Rental, Mill Creek and Rail Trail
East	C10 – Service Commercial and C9 – Tourist Commercial	Hotel and Gas Bar
South	C10 – Service Commercial	Car Dealership
West	C10 – Service Commercial and P3 – Parks and Open Space	Car Dealership, Mill Creek and Rail Trail

Subject Property Map: 2690 Hwy 97 N



5.0 Current Development Policies

5.1 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

5.2 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Service Commercial: Developments for the provision of business support services and other commercial uses requiring extensive on-site storage. Building densities would be consistent with the provision of the C10 zone of the Zoning Bylaw.

6.o Application Chronology

Date of Application Received: August 5th, 2020

Date of Owner Notification: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Map 'A' – Proposed Rezoning

ATTACHMENT

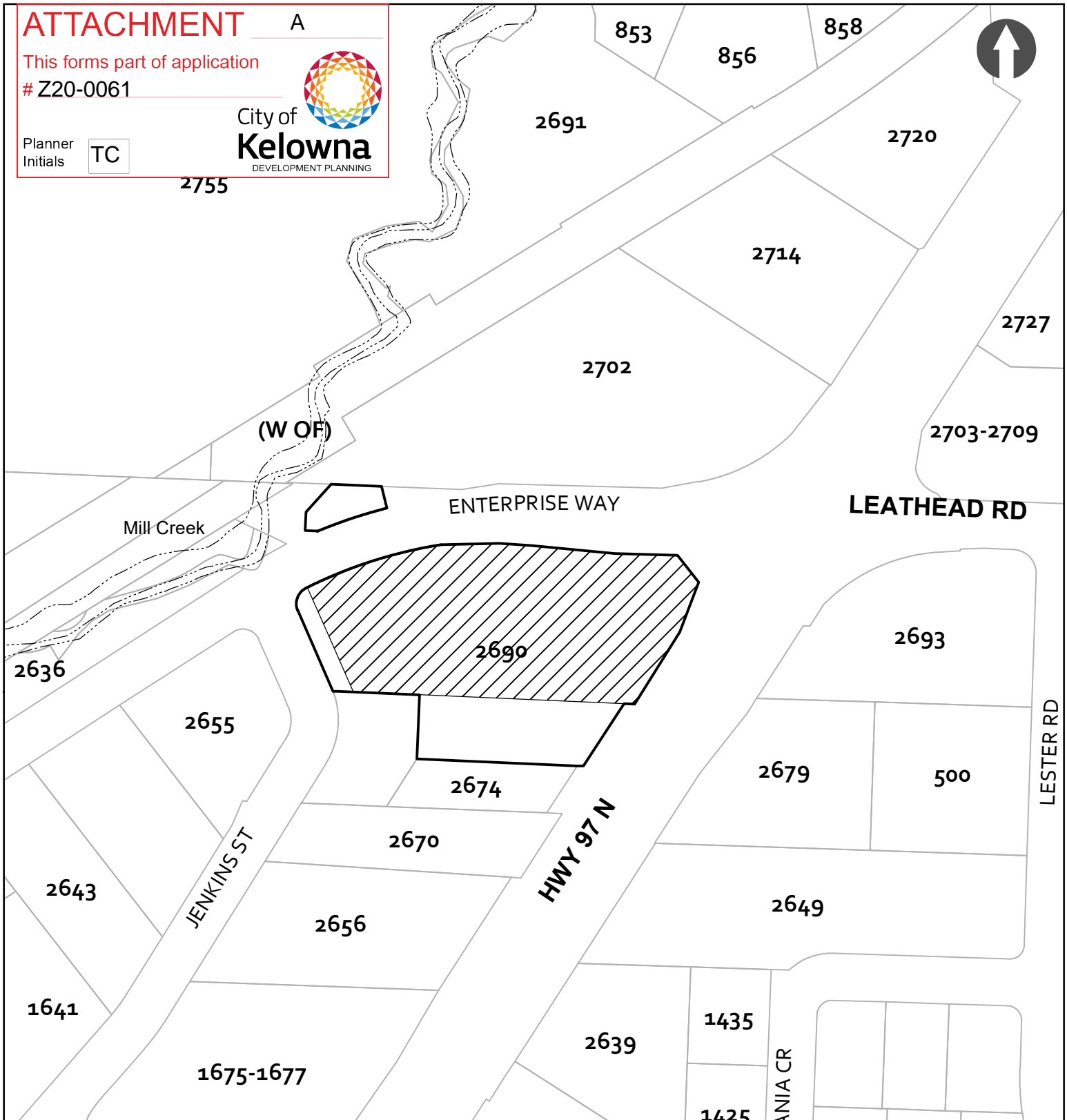
A

This forms part of application

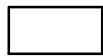
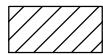

Z20-0061

Planner
Initials TC

City of
Kelowna
DEVELOPMENT PLANNING



MAP "A" Proposed Rezoning File Z20-0061

-  Subject Property
-  A1 - Agriculture 1 to C10 - Service Commercial
-  Mill Creek

TC

0 40 80 Metres

Rev. Wednesday, January 13, 2021

City of
Kelowna



LUCT20-0002 / Z20-0061

2690 Hwy 97 N

Land Use Contract Termination and Rezoning Application



Proposal

- ▶ To terminate the Land Use Contract (LUC75-76) and to rezone a portion of the subject property from A1 – Agriculture 1 zone to C10 – Service Commercial zone.

Development Process

Aug 5, 2020

LUC Termination Initiated by Staff



Oct 1, 2020

Public Notification Completed



Feb 1, 2021

Initial Consideration



Public Hearing
Second & Third Readings

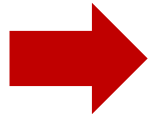


Final Reading



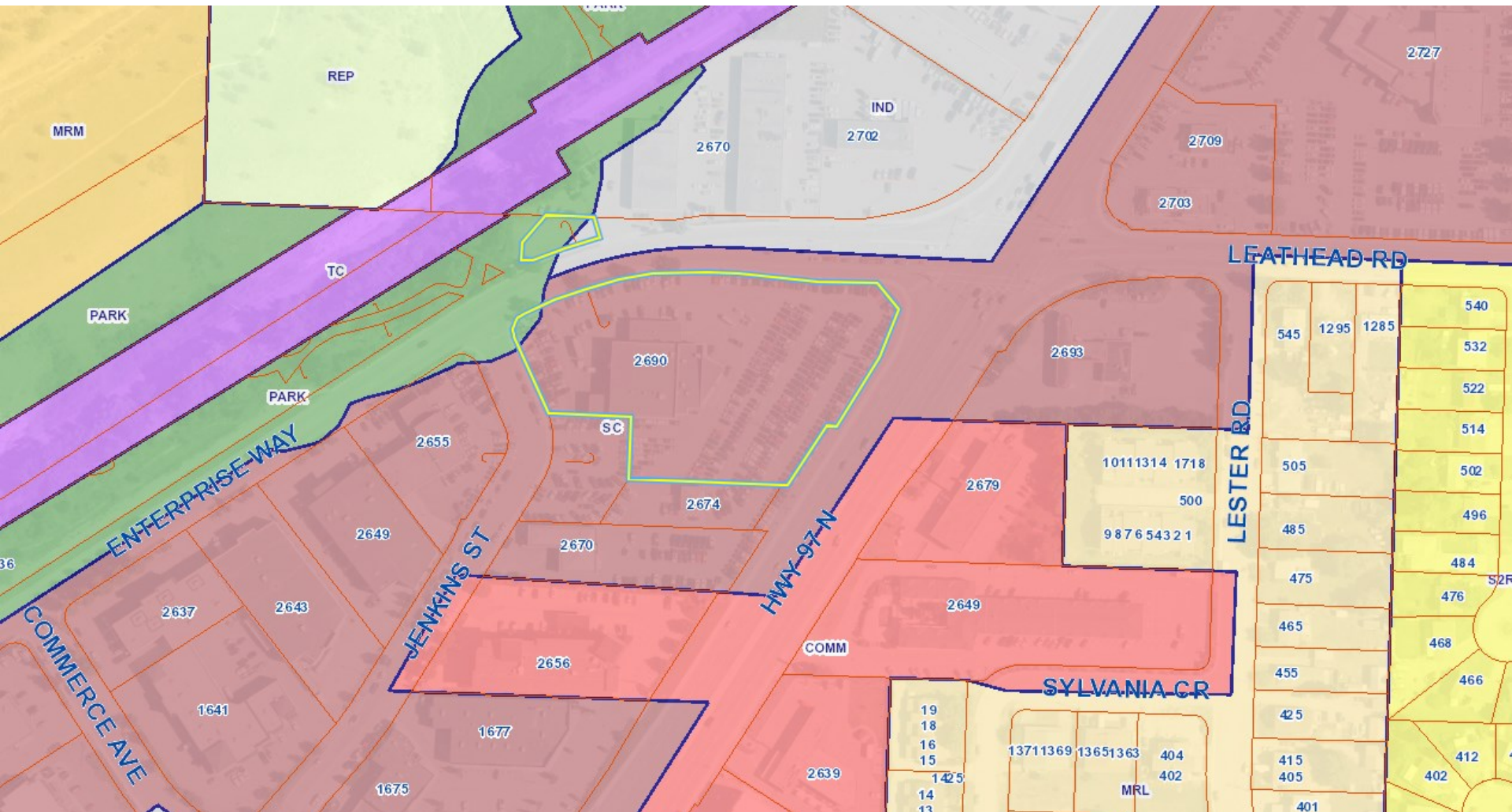
LUC Eliminated (1 year later)

Council
Approvals



[illegible]

OCP Future Land Use



Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- ▶ If an applicant initiates a discharge – Staff initiate a termination

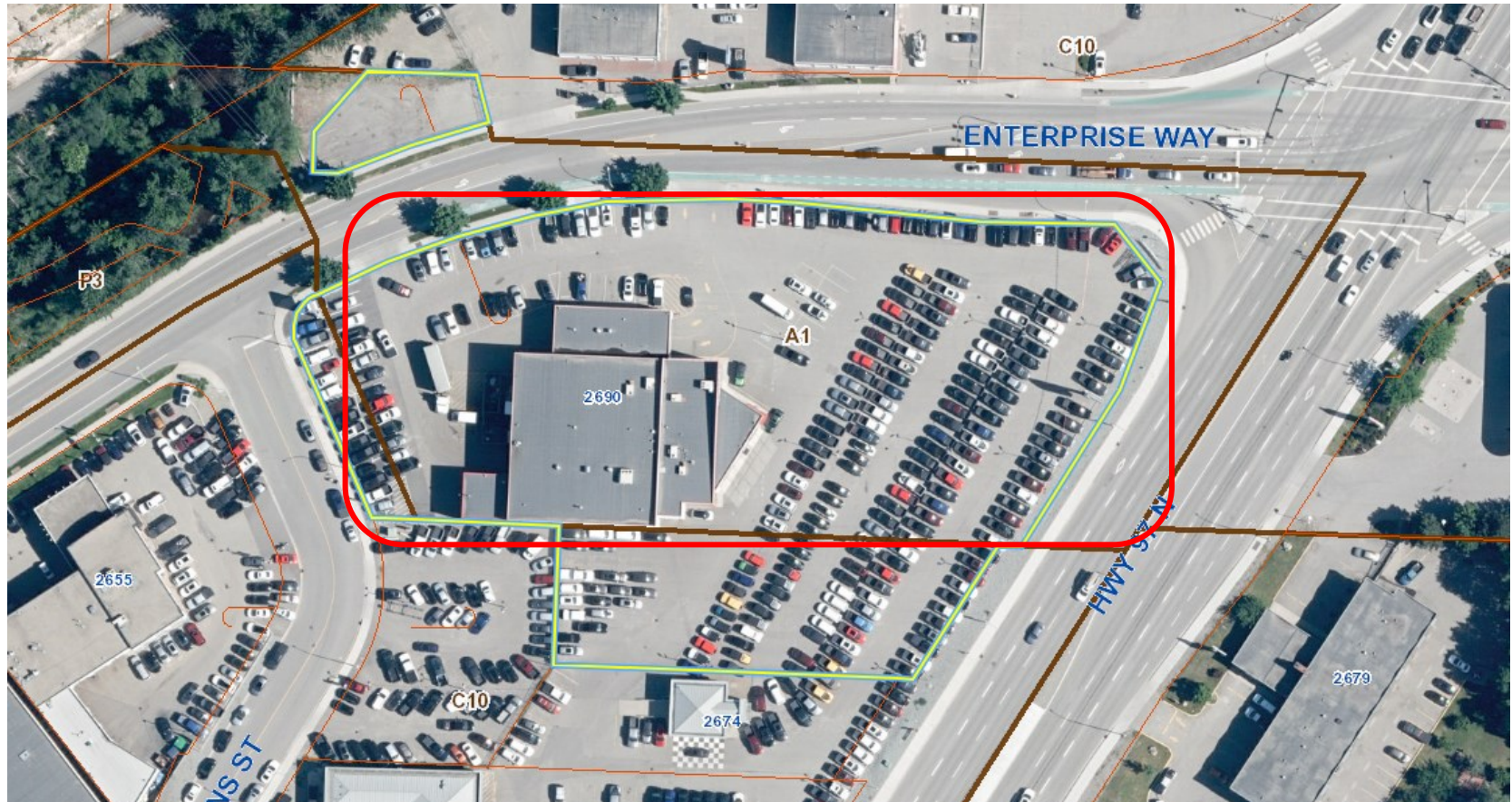
Project Details

- ▶ Staff initiated termination of LUC75-76 for the subject property.
- ▶ The LUC allows them to operate a car dealership and all uses within C12 – Sales Lot zone in Zoning Bylaw no. 4500.
- ▶ Staff are proposing to rezone a portion of the property to the C10 – Service Commercial zone.

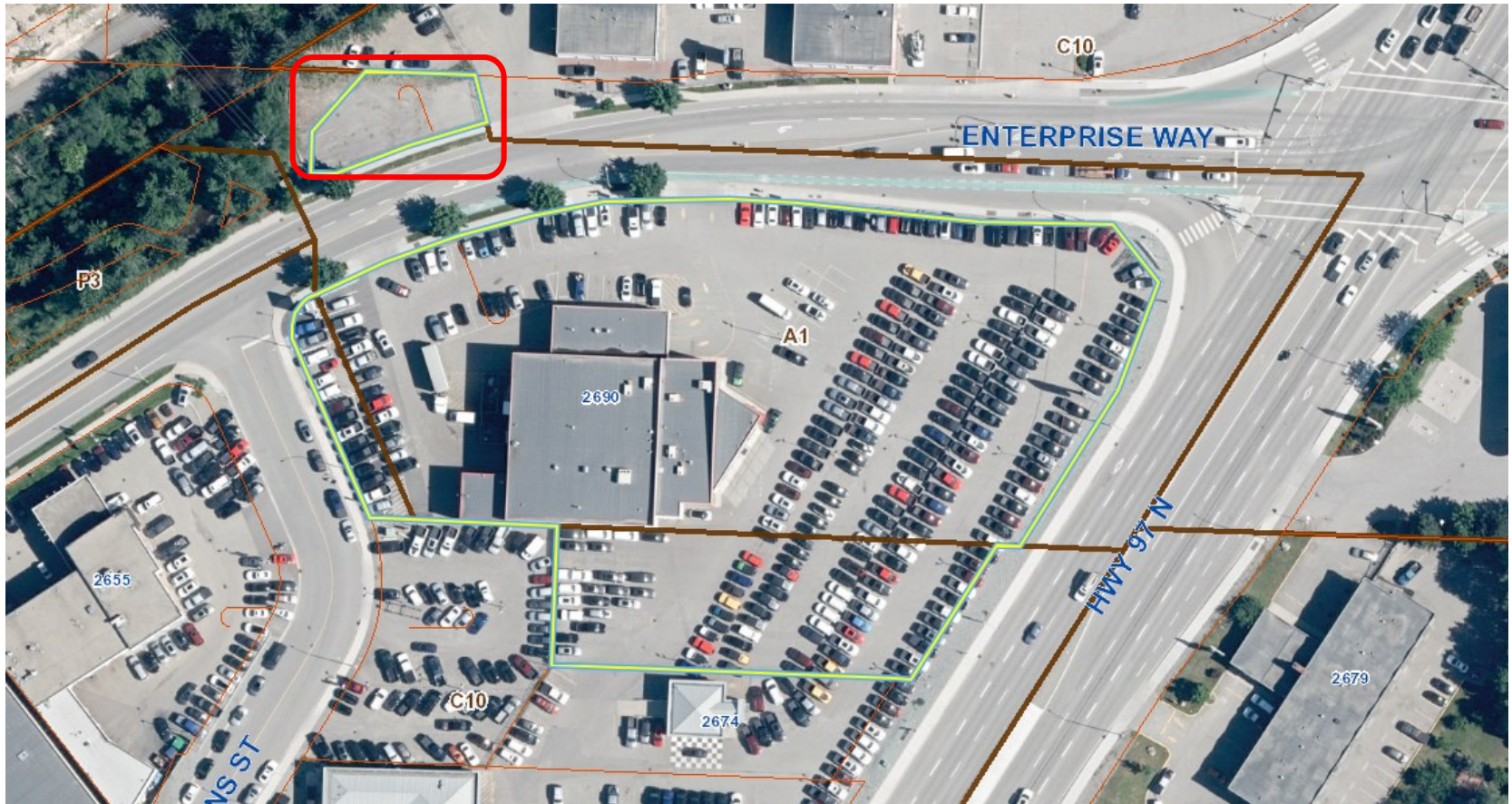
Project Details



Project Details



Project Details



Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
 - ▶ Sent on Oct 1st, 2020
- ▶ One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
 - ▶ C10 zone is appropriate to support existing use.
 - ▶ North portion of the property to remain A1 to meet the riparian management bylaws and regulations.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12067

LUCT20-0002

Early Termination of Land Use Contract – LUC75-76 2690 Highway 97 North

WHEREAS a land use contract (the "Land Use Contract LUC75-76) is registered at the Kamloops Land Title Office under the charge number M31703 against lands in the City of Kelowna particularly known and described as Lot B District Lots 124 and 125 and of Section 27 Township 26 ODYD Plan KAP92754 Except Plan EPP58799 (the "Lands"), located on Highway 97 North, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract Bylaw No. 12067";
2. "A M Automotive Limited Land Use Contract Authorizing Bylaw No. 4207-77" establishing Land Use Contract LUC75-76 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and
3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 1st day of February, 2021.

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12068
Z20-0061 -
2690 Highway 97 North

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot B District Lots 124 and 125 and of Section 27 Township 26 ODYD Plan KAP92754 Except Plan EPP58799 located at Highway 97 North, Kelowna, BC from the A1 – Agriculture 1 zone to the C10 – Service Commercial zone as shown on Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 1st day of February, 2021.

Public Hearing by the Municipal Council on the

Read a second and third time by the Municipal Council this

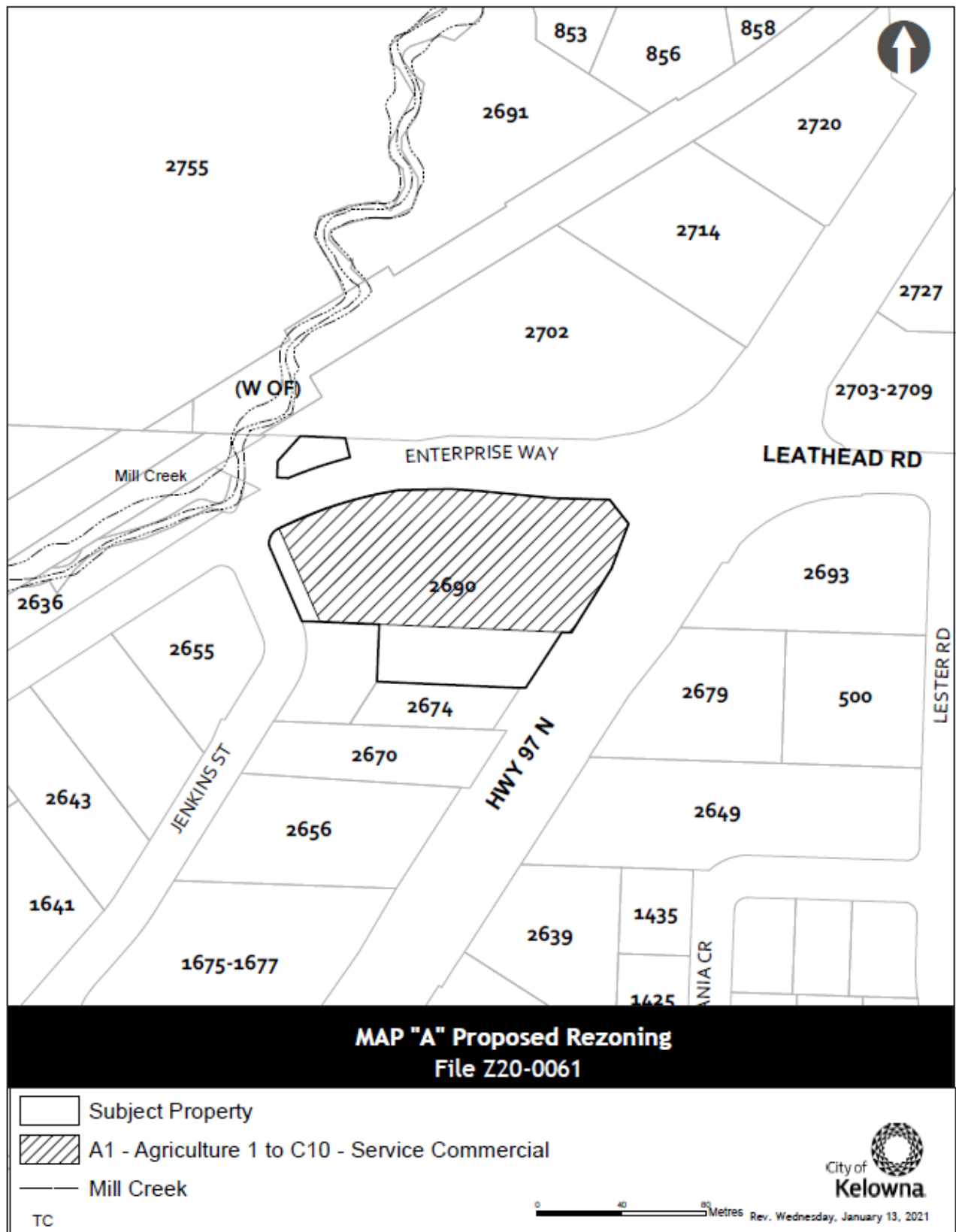
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date: February 1, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: LUCT20-0008 / Z20-0073 **Owner:** McIntosh Properties Ltd.,
Inc.No. 0846631

Address: 2821 Fenwick Rd **Applicant:** The City of Kelowna

Subject: Land Use Contract Termination and Rezoning Application

Existing OCP Designation: IND – Industrial and PARK – Major Park / Open Space (public)

Existing Zone: A1 – Agriculture 1

Proposed Zone: A1 – Agriculture 1 and I2 – General Industrial

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0008 to terminate LUC77-1004 from Lot 1 Section 34 Township 26 ODYD Plan 29162, located at 2821 Fenwick Road, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0073 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot 1 Section 34 Township 26 ODYD Plan 29162, located at 2821 Fenwick Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the I2 – General Industrial zone as shown on Map "A" attached to the Report from the Development Planning Department dated February 1, 2021 be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's boulevard;

AND FURTHER THAT final adoption of the Rezoning bylaw be considered subsequent to the approval of Ministry of Transportation and Infrastructure.

2.0 Purpose

To proceed with early termination of Land Use Contract 77-1004 and to consider an application to rezone the subject property.

3.0 Development Planning

Staff are recommending the Land Use Contract (77-1004) be terminated and for the subject property to be rezoned. Portions of the property has the underlying zone of A1 – Agriculture 1 and is not appropriate for the current land use, which are general industrial uses. Currently the Land Use contract allows the uses in the former Zoning Bylaw 4500 I3 – Heavy Industrial Uses, in addition to steel fabrication and sales. The former steel fabrication business on site is no longer active. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings.

The lot in question is a hooked parcel, with a portion of the parcel north of Mill Creek and a portion of the parcel south of Mill Creek. Both portions of this site are zoned A1 – Agriculture 1. Since a large portion of this site falls within the riparian area of Mill Creek, wherein development is prohibited under provincial law, Staff are proposing that only the area south of Mill Creek that has the Future Land Use Designation of Industrial be rezoned to I2 – General Industrial. This would result in the area in the riparian setback with the Future Land Use Designation of PARK, remain A1. This portion of the property cannot be further developed, it should not be rezoned.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Public Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property.

4.3 Site Context

The subject property has a total area of roughly 12,869m² and is located on 2821 Fenwick Road. The property has been designated IND – Industrial and PARK – Major Park / Open Space (public) in the Official

Community Plan. The surrounding area is a mix of SC – Service Commercial, IND – Industrial, COMM – Commercial and PARK – Major Park / Open Space (public).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	IND – Industrial and PARK – Major Park / Open Space (public)	Mill Creek, Industrial Land and Vacant Land
East	TC – Transit Corridor	Rail Trail
South	REP – Resource Protection and PARK – Major Park / Open Space (public)	Active Farm in the ALR
West	REP – Resource Protection and PARK – Major Park / Open Space (public)	Mill Creek and Vacant Land

Subject Property Map: 2821 Fenwick Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

5.2 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Industrial (IND): Light and heavy industrial uses as well as Industrial/Business activities and airport related industrial uses. Industrial/business refers to uses that provide services and support to industrial and business customers. This designation may also include CD Comprehensive Development zoning that provides for industrial uses.

6.o Application Chronology

Date of Application Received: August 25, 2020

Date Public Consultation Completed: October 1, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Map 'A' – Proposed Rezoning

ATTACHMENT

A

This forms part of application

Z20-0073

Planner
Initials

TC



2920

3010

(W OF)

2840

2898

2810

(END OF)

STREMEL RD

2821

FENWICK RD

2890

2755

Mill Creek

911

2800

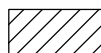
HWY 97 N

2850

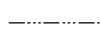
MAP "A" Proposed Rezoning File Z20-0073



Subject Property



A1 - Agriculture 1 to I2 - General Industrial



Mill Creek

TC

0 40 80 Metres Rev. Wednesday, January 13, 2021





LUCT20-0008 / Z20-0073

2821 Fenwick Road

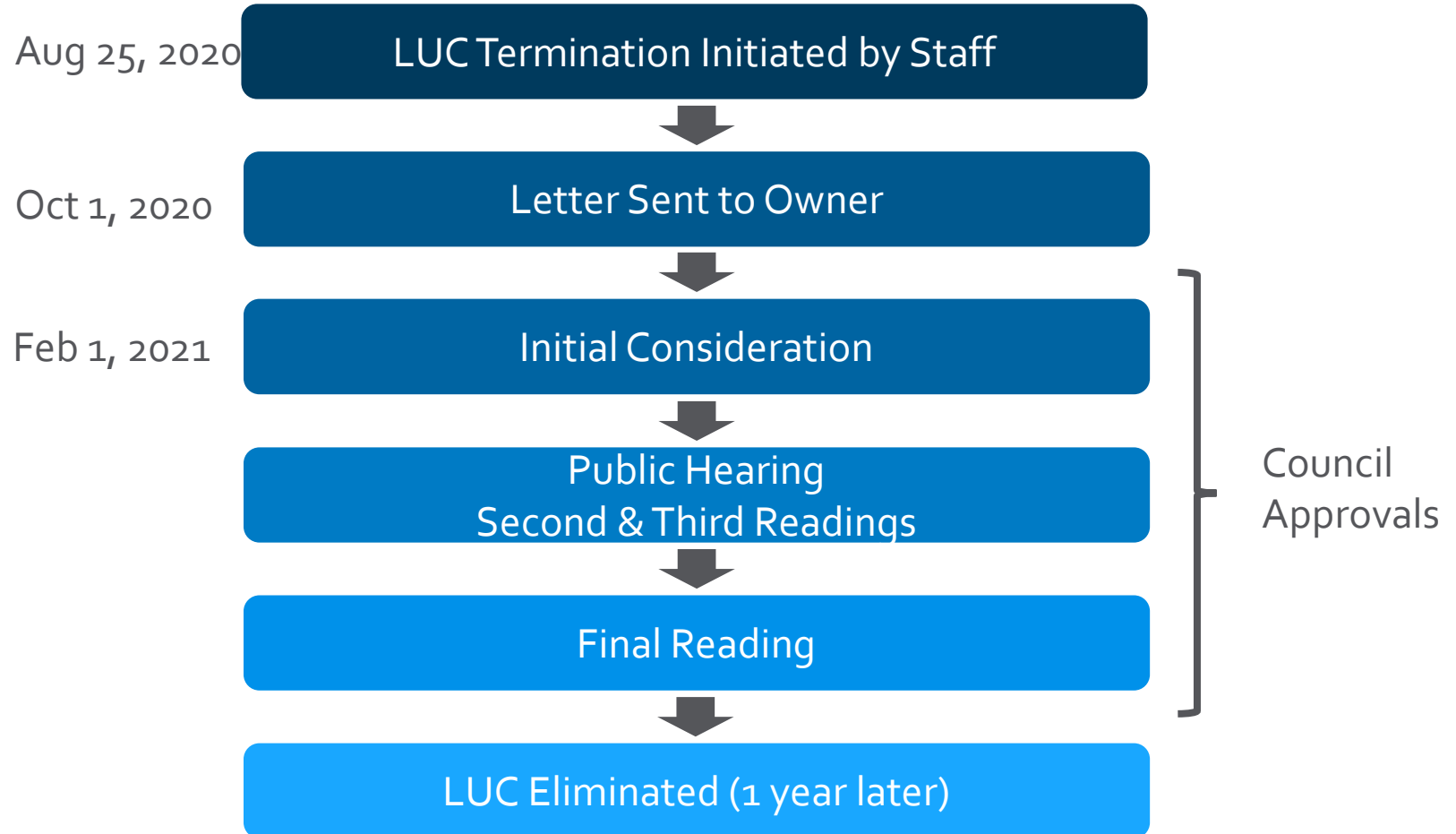
Land Use Contract Termination and Rezoning Application



Proposal

- ▶ To terminate the Land Use Contract (LUC77-1004) and to rezone a portion of the subject property from A1 – Agriculture 1 zone to I2 – General Industrial.

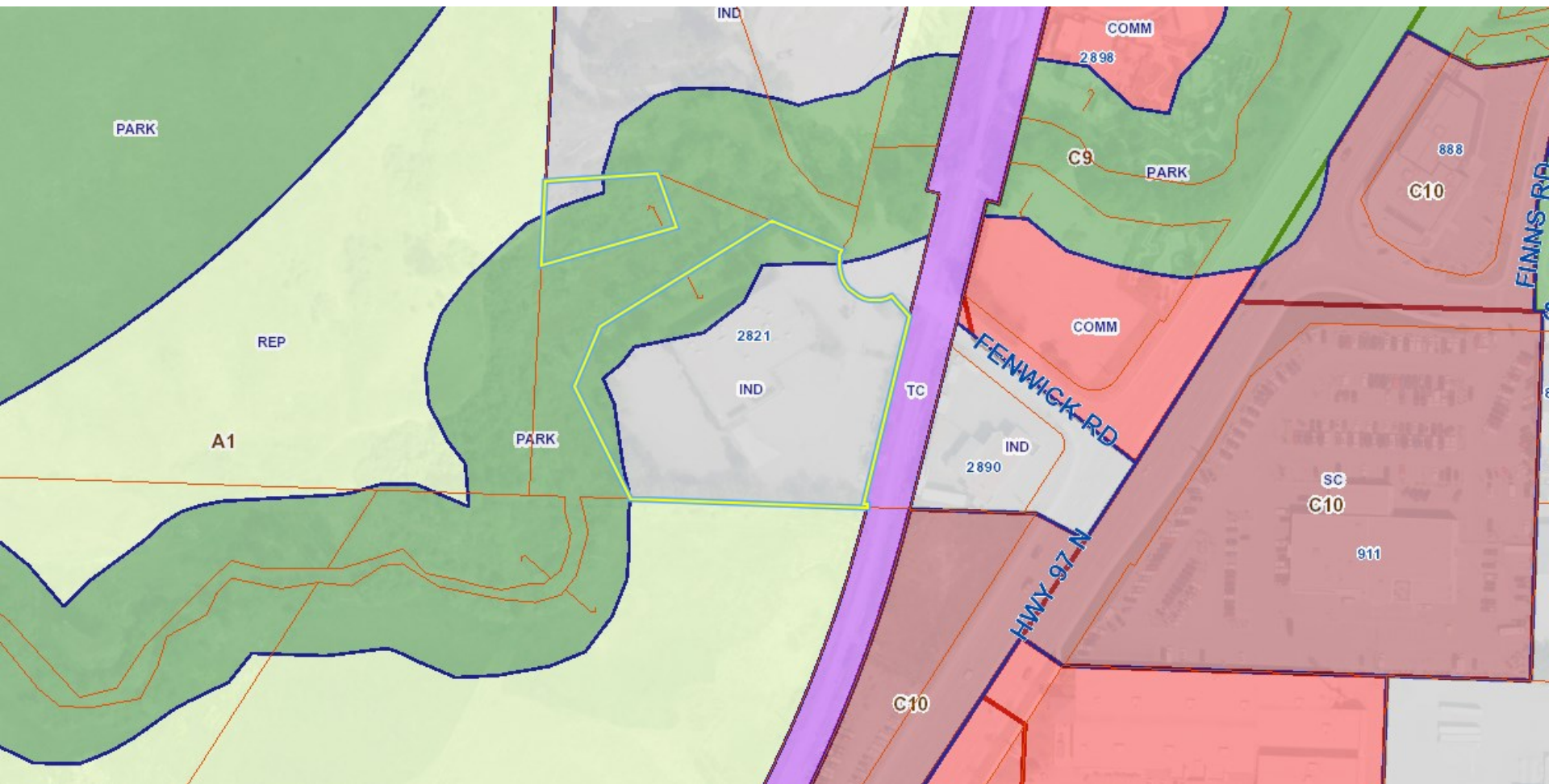
Development Process



Context Map



OCP Future Land Use



Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- ▶ If an applicant initiates a discharge – Staff initiate a termination

Project Details

- ▶ Staff initiated termination of LUC77-1004 for the subject property.
- ▶ The LUC allows them to operate a steel fabrication business under Zoning Bylaw no. 4500's I3 – Heavy Industrial zone. This steel fabrication business is no longer active on site.
- ▶ Staff are proposing to rezone a portion of the property to the I2 – General Industrial zone.

Project Details



Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
 - ▶ Sent on Oct 1st, 2020
- ▶ One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
 - ▶ I2 zone is appropriate to support existing use.
 - ▶ North portion of the property to remain A1, as well as the hooked portion to the north, as it meets the riparian management bylaws and regulations.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12158

LUCT20-0008

Early Termination of Land Use Contract – LUC77-1004 2821 Fenwick Road

WHEREAS a land use contract (the "Land Use Contract LUC77-1004") is registered at the Kamloops Land Title Office under the charge number N43913 against land in the City of Kelowna particularly known and described as Lot 1 Section 34 Township 26 ODYD Plan 29162 (the "Land"), located on Fenwick Road, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract Bylaw No. 12158";
2. Land Use Contract Bylaw No. 4491-77 establishing Land Use Contract LUC77-1004 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and
3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 1st day of February, 2021.

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12159

Z20-0073

2821 Fenwick Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot 1 Section 34 Township 26 ODYD Plan 29162 located at Fenwick Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial zone as shown on Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 1st day of February, 2021.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

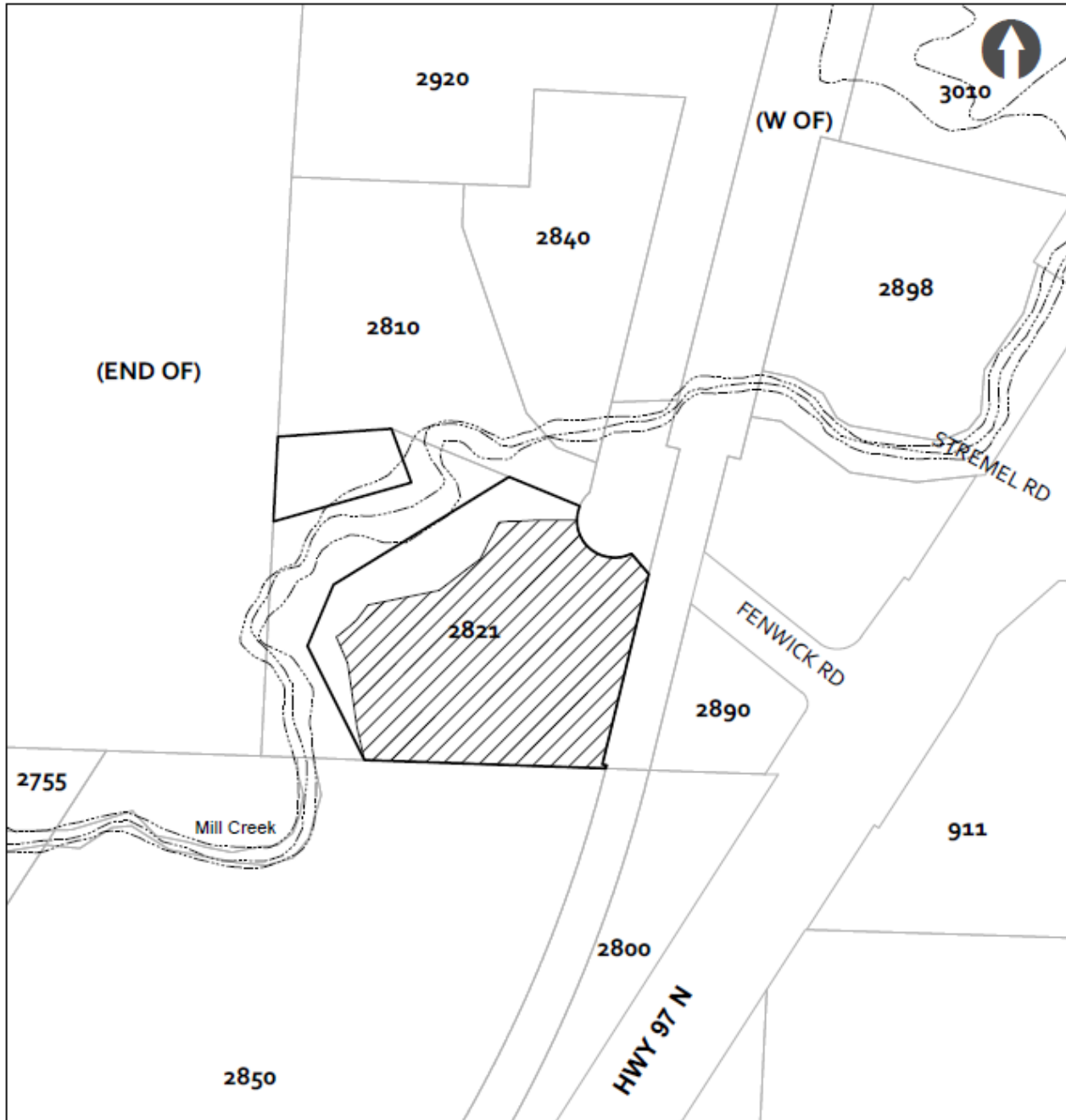
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)




Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



**MAP "A" Proposed Rezoning
File Z20-0073**

-  Subject Property
-  A1 - Agriculture 1 to I2 - General Industrial
-  Mill Creek

TC

0 40 80 Metres Rev. Wednesday, January 13, 2021



REPORT TO COUNCIL



Date: February 1, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: LUCT20-0009 / Z20-0074 **Owner:** BCJ Properties Ltd., Inc.No. 472355

Address: 3646-3652 Hwy 97 N **Applicant:** The City of Kelowna

Subject: Land Use Contract Termination and Rezoning Application

Existing OCP Designation: IND – Industrial and PARK – Major Park / Open Space (public)

Existing Zone: A1 – Agriculture 1

Proposed Zone: A1 – Agriculture 1 and I2 – General Industrial

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0009 to terminate LUC77-1040 from Lot A Section 35 Township 26 ODYD Plan 37430, located at 3646-3652 Hwy 97 N, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0074 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot A Section 35 Township 26 ODYD Plan 37430, located at 3646-3652 Hwy 97 N, Kelowna, B.C. from the A1 – Agriculture 1 zone to the I2 – General Industrial zone as shown on Map "A" attached to the Report from Development Planning Department dated February 1, 2021 be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's boulevard;

AND FURTHER THAT final adoption of the Rezoning bylaw be considered subsequent to the approval of Ministry of Transportation and Infrastructure.

2.0 Purpose

To proceed with early termination of Land Use Contract 77-1040 and to consider an application to rezone the subject property.

3.0 Development Planning

Staff are recommending the Land Use Contract (77-1040) be terminated and for the subject property to be rezoned. The property has the underlying zone of A1 – Agriculture 1 and is not appropriate for the current land uses, which is general automotive repairs and a gas bar/service station. These uses are currently permitted in the Land Use Contract, under the former Zoning Bylaw 4500's A6 – Rural-Industrial Reserve with the additional uses of: service station, automatic transmission repairs, general automotive repairs and automotive body shop. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings.

The lot in question has the Future Land Use Designation of both IND – Industrial and PARK – Major Park / Open Space (public). The reason for this is because the north section of the property falls within the Mill Creek riparian setback. Staff recommend that only the portion with the Future Land Use Designation of IND be rezoned to I2 and the northern portion to remain A1. The reason for this is that this portion of the parcel is within the riparian area of Mill Creek wherein development is prohibited under provincial law. As this portion of the property cannot be further developed, it should not be rezoned.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Public Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property.

4.3 Site Context

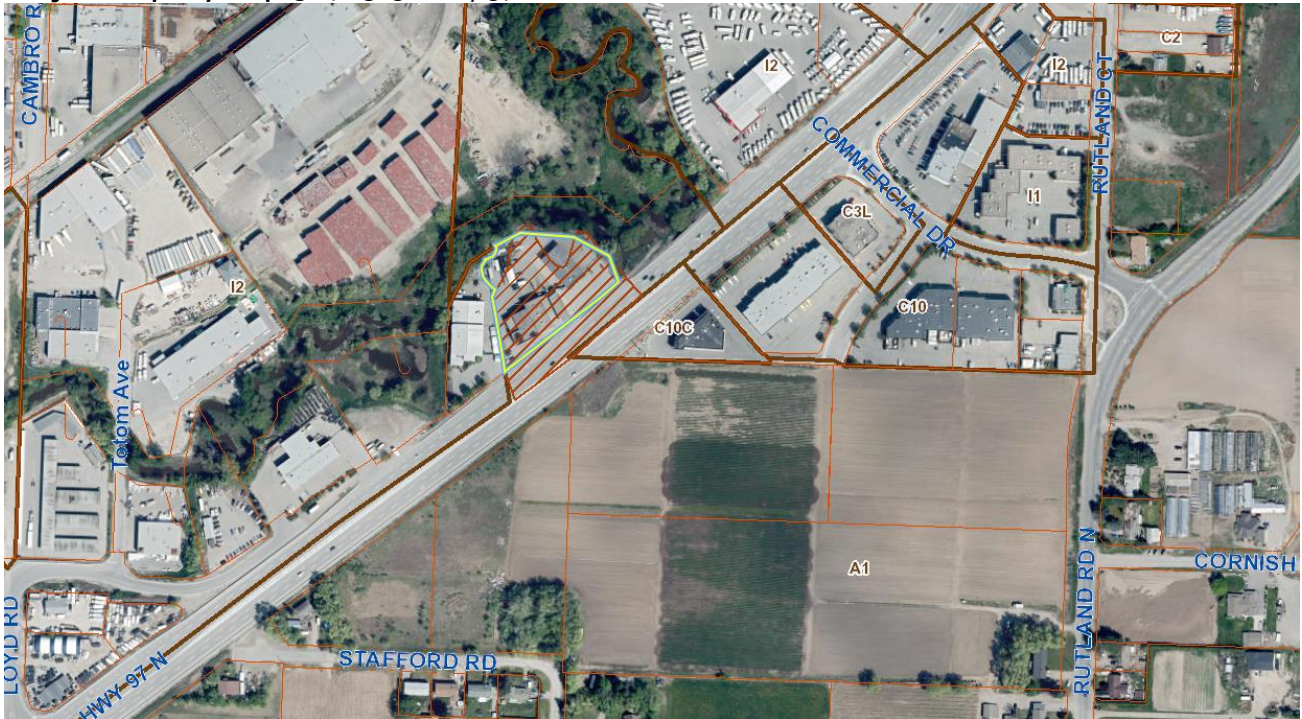
The subject property has a total area of roughly 6,380m² and is located on 3646-3652 Hwy 97 N. The property has been designated IND – Industrial and PARK – Major Park / Open Space (public) in the Official

Community Plan. The surrounding area is a mix of SC – Service Commercial, IND – Industrial, COMM – Commercial, PARK – Major Park / Open Space (public) and REP – Resource Protection.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Mill Creek
East	A1 – Agriculture 1 and C10C – Service Commercial with Retail Cannabis	General service commercial businesses and Mill Creek
South	A1 – Agriculture 1	Active Farm within ALR
West	I2 – General Industrial	Automotive shop

Subject Property Map: 3646-3652 Hwy 97 N



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

5.2 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Industrial (IND): Light and heavy industrial uses as well as Industrial/Business activities and airport related industrial uses. Industrial/business refers to uses that provide services and support to industrial and business customers. This designation may also include CD Comprehensive Development zoning that provides for industrial uses.

6.o Application Chronology

Date of Application Received: August 26, 2020
Date of Owner Notification: October 1, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Map 'A' – Proposed Rezoning

ATTACHMENT

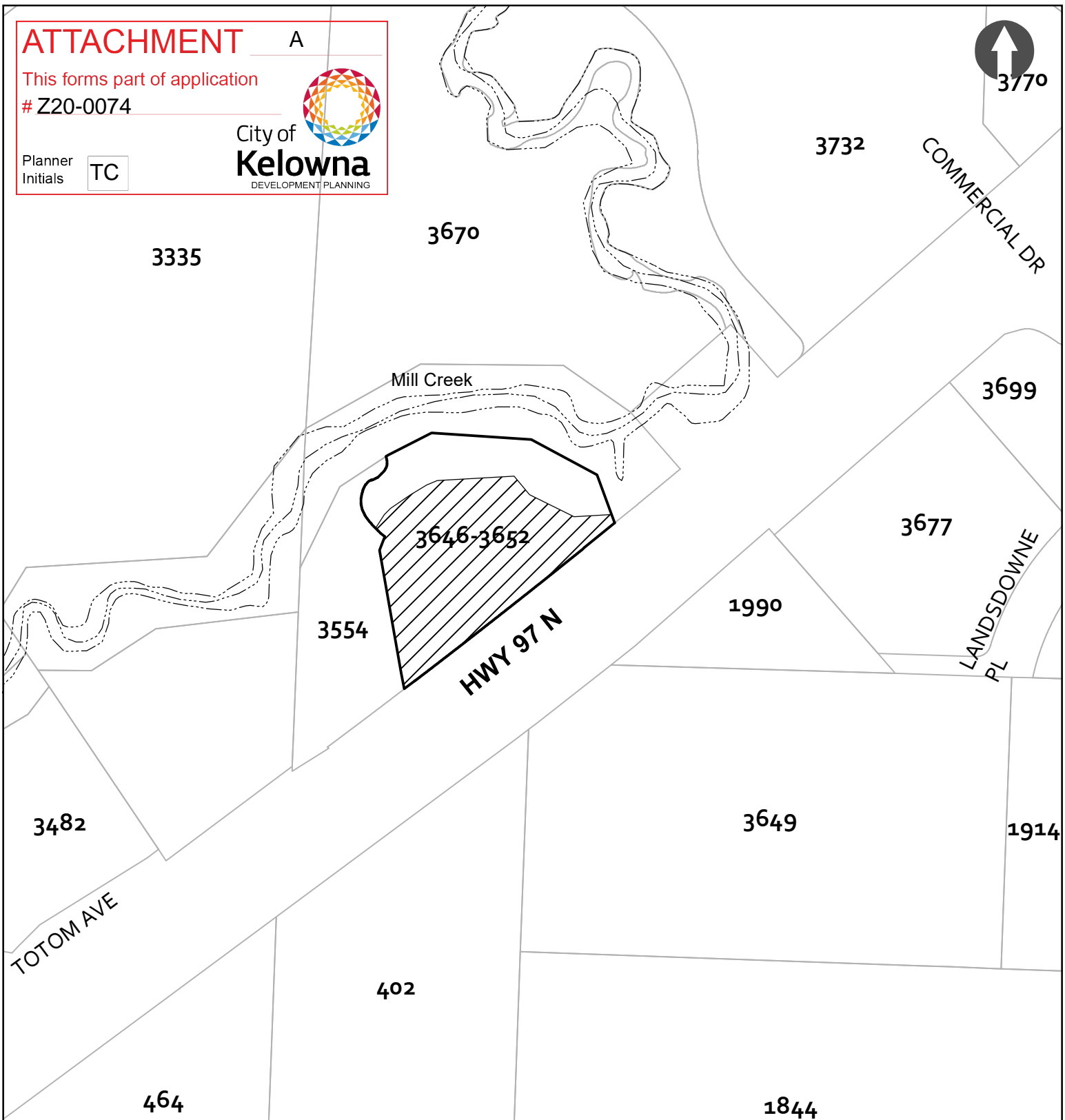
A

This forms part of application

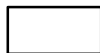
Z20-0074

Planner
Initials TC

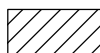
City of
Kelowna
DEVELOPMENT PLANNING



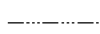
MAP "A" Proposed Rezoning File Z20-0074



Subject Property



A1 - Agriculture 1 to I2 - General Industrial



Mill Creek

TC

0 40 80 Metres Rev. Wednesday, January 13, 2021

City of
Kelowna



LUCT20-0009 / Z20-0074

3646-3652 Hwy 97 N

Land Use Contract Termination and Rezoning Application



Proposal

- ▶ To terminate the Land Use Contract (LUC77-1040) and to rezone a portion of the subject properties from A1 – Agriculture 1 zone to I2 – General Industrial zone.

Development Process

Aug 26, 2020

LUC Termination Initiated by Staff



Oct 1, 2020

Notice to Subject Property Owner



Feb 1, 2021

Initial Consideration



Public Hearing
Second & Third Readings

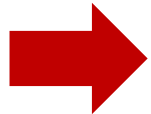


Final Reading



LUC Eliminated (1 year later)

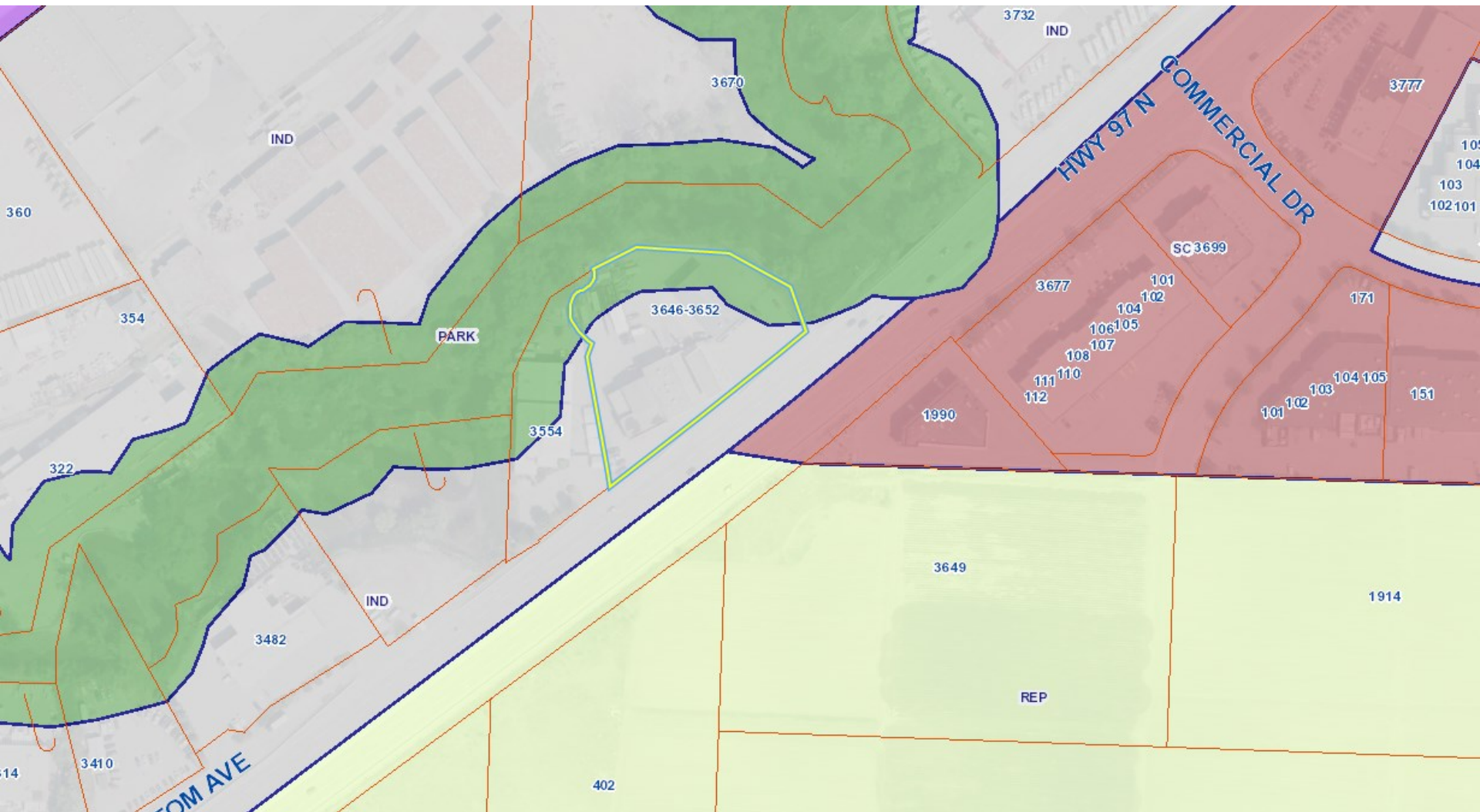
Council
Approvals



Context Map



OCP Future Land Use



Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- ▶ If an applicant initiates a discharge – Staff initiate a termination

Project Details

- ▶ Staff initiated termination of LUC77-1040 for the subject property.
- ▶ The LUC allows them to operate a service station and automotive-related businesses and all uses within A6 – Rural Industrial zone in Zoning Bylaw no. 4500.
- ▶ Staff are proposing to rezone a portion of the property to I2 – General Industrial, which allows for all existing uses and meets the Future Land Use.

Project Details



Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to the property owner.
 - ▶ Sent on Oct 1st, 2020
- ▶ One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
 - ▶ I2 zone is appropriate to support existing use.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12160

LUCT20-0009

Early Termination of Land Use Contract – LUC77-1040 3646-3652 Highway 97 North

WHEREAS a land use contract (the "Land Use Contract LUC77-1040") is registered at the Kamloops Land Title Office under the charge number N39778 against land in the City of Kelowna particularly known and described as Lot A Section 35 Township 26 ODYD Plan 37430 (the "Land"), located on Highway 97 North, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract Bylaw No. 12160";
2. Land Use Contract Bylaw No. 4606-78 establishing Land Use Contract LUC77-1040 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and
3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 1st day of February, 2021.

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12161
Z20-0074
3646-3652 Highway 97 North

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot A Section 34 Township 26 ODYD Plan 37430 located at Highway 97 North, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial zone as shown on Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 1st day of February, 2021.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

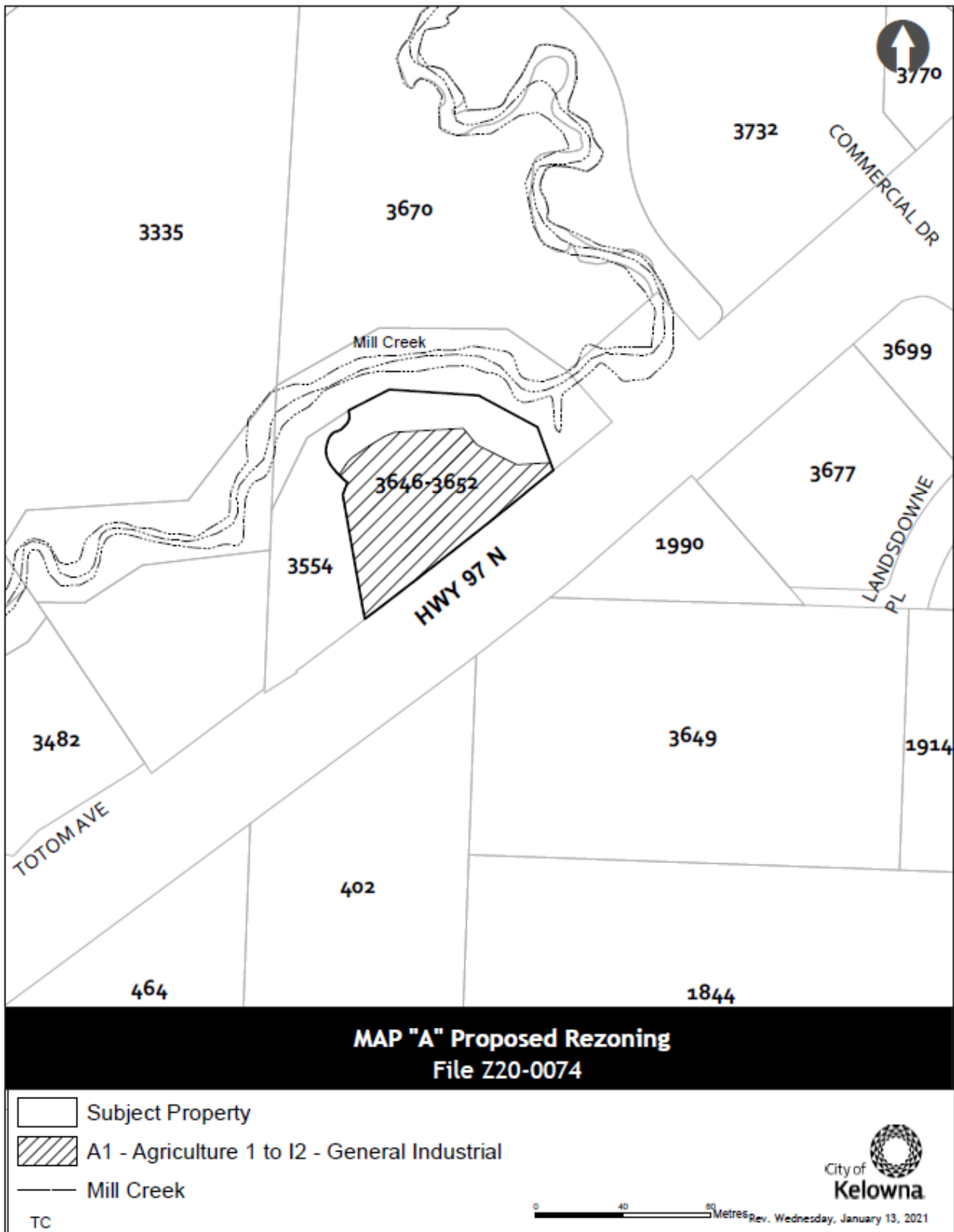
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date: January 25, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z19-0107 OCP19-0005 **Owner:** Multiple Owners

Address: Multiple Addresses **Applicant:** City of Kelowna

Subject: Rezoning and OCP Amendment Application

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP19-0005 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of multiple properties, as indicated on Schedule 'A' and shown on Maps "A" to "D" attached to the Report from the Development Planning Department dated January 25, 2021, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

THAT Rezoning Application No. Z19-0107 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of multiple properties, as indicated on Schedule 'B' and shown on Maps "E" to "K" attached to the Report from the Development Planning Department dated January 25, 2021, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Hearing process to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*.

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

2.0 Purpose

To amend the Official Community Plan to change the future land use designation of and to rezone multiple properties to correct boundary discrepancies.

3.0 Development Planning

Staff have identified multiple properties that require rezoning and are bringing forward these proposed amendments to resolve the inconsistencies. The discrepancies are typically the result of either the subdivision of properties occurring separately from a rezoning, an Official Community Plan amendment process, or oversights from previous applications. These amendments will align future land use designation and zoning boundaries with existing or proposed future lot lines to resolve these inconsistencies. Two of the properties included in Schedule 'B' do not include corresponding maps, as they are not stratified properties and the entire lots are proposed to be rezoned.

This is the first of multiple packages that Staff will be requesting for Council consideration in the coming months. The last time that Council considered an amendment package like this was in February 2018, and multiple properties have since been identified as needing Zoning or Official Community Plan amendments.

In accordance with Section 466(7) of the Local Government Act, notices will not be mailed to property owners or residents of the subject properties and direct neighbourhood notification was not carried out. Notices will be posted in the newspaper in accordance with other requirements of the *Local Government Act* Section 466.

Report prepared by:	Kimberly Brunet, Planner II
Reviewed by:	Jocelyn Black, Urban Planning Manager
Approved for Inclusion:	Terry Barton, Development Planning Department Manager

Attachments:

Schedule 'A': Proposed Future Land Use Designations

Schedule 'B': Proposed Zonings

Map "A" OCP Amendment – 283 Clifton Road North

Map "B" OCP Amendment – 1188 Long Ridge Drive

Map "C" OCP Amendment – 997, 1011, 1025, 1035, 1049, 1063 & 1077 Loseth Drive

Map "D" OCP Amendment – 5070 Twinflower Crescent

Map "E" Rezoning – 1600 Abbott Street

Map "F" Rezoning – 283 Clifton Road North

Map "G" Rezoning – 2001 Kloppenburg Court

Map "H" Rezoning – 1198 Long Ridge Drive

Map "I" Rezoning – 480 Penno Road

Map "J" Rezoning – 5070 Twinflower Crescent

Map "K" Rezoning – 765 Rose Avenue and 813, 815, 811 & 817 Rose Avenue

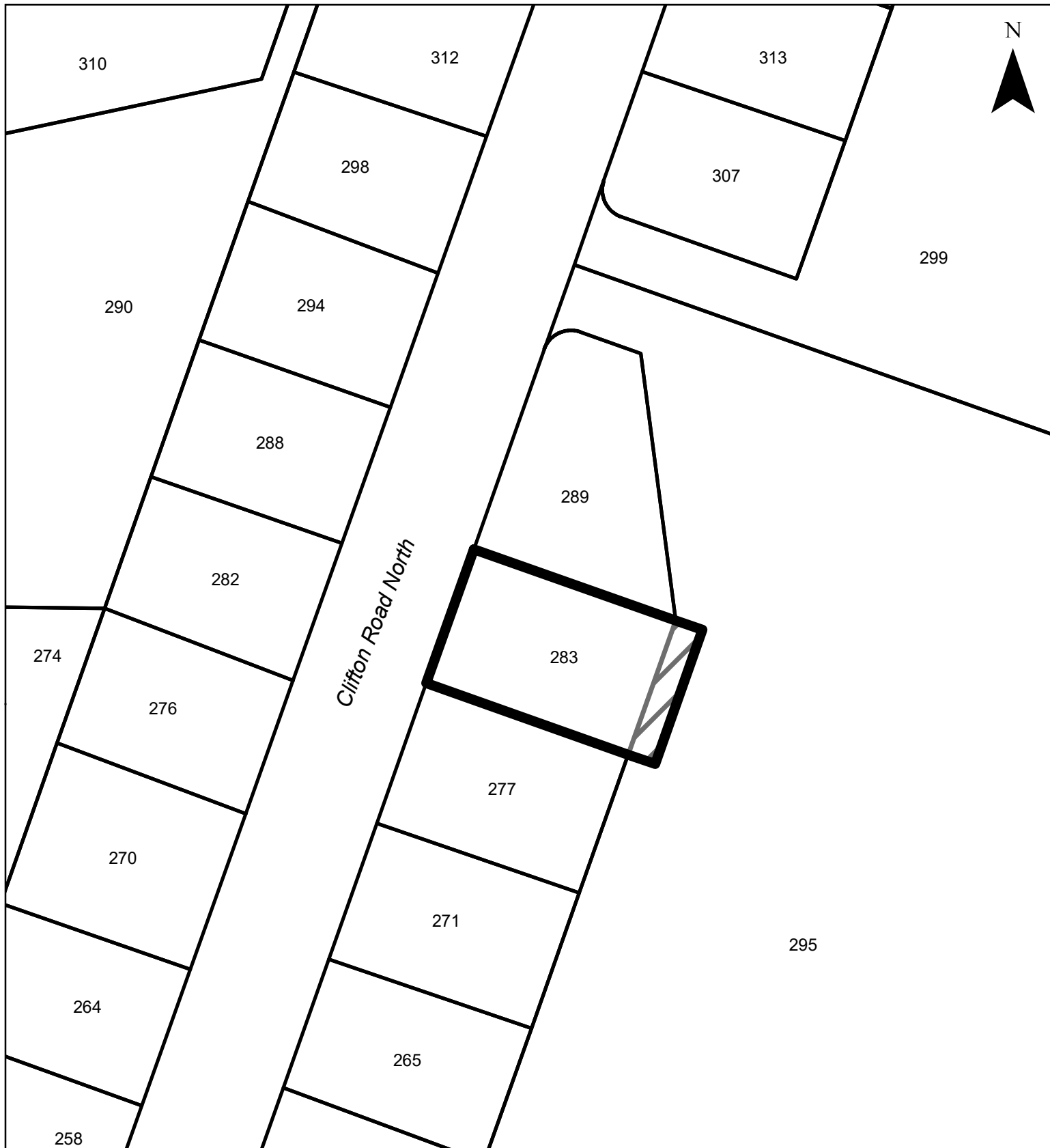
Schedule 'A' – Proposed Future Land Use Designations

Legal Description	Civic Address	Existing Designation	Proposed Designation	Map No.
PORION OF LOT 1 SECTION 8 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN EPP77782	283 Clifton Road North	S2RESH - Single/Two Unit Residential Hillside	S2RES - Single/Two Unit Residential	A
PORION OF LOT 14 SECTION 9 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN KAP81912	1188 Long Ridge Drive	S2RES - Single/Two Unit Residential	PARK - Major Park/Open Space	B
LOT 12 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252	997 Loseth Drive	S2RES - Single/Two Unit Residential	S2RESH - Single/Two Unit Residential Hillside	C
LOT 13 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252	1011 Loseth Drive	S2RES - Single/Two Unit Residential	S2RESH - Single/Two Unit Residential Hillside	C
LOT 14 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252	1025 Loseth Drive	S2RES - Single/Two Unit Residential	S2RESH - Single/Two Unit Residential Hillside	C
PORION OF LOT 15 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252	1035 Loseth Drive	S2RES - Single/Two Unit Residential	S2RESH - Single/Two Unit Residential Hillside	C
PORION OF LOT 16 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252	1049 Loseth Drive	S2RES - Single/Two Unit Residential	S2RESH - Single/Two Unit Residential Hillside	C
PORION OF LOT 17 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252	1063 Loseth Drive	S2RES - Single/Two Unit Residential	S2RESH - Single/Two Unit Residential Hillside	C
PORION OF LOT 18 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252	1077 Loseth Drive	S2RES - Single/Two Unit Residential	S2RESH - Single/Two Unit Residential Hillside	C
PORION OF LOT 3 SECTION 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP94737	5070 Twinflower Crescent	PARK - Major Park/Open Space	S2RESH - Single/Two Unit Residential Hillside	D

Schedule 'B' – Proposed Zonings

Legal Description	Civic Address	Existing Zone	Proposed Zone	Map No.
PORTION OF PARCEL Z (DD X4103) OF DISTRICT LOT 14 OSOYOOS DIVISION YALE DISTRICT EXCEPT PLAN KAP80506	1600 Abbott Street	RU1 – Large Lot Housing	P3 - Parks & Open Space	E
PORTION OF LOT 1 SECTION 8 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN EPP77782	283 Clifton Road North	A1 – Agriculture 1	RR3 - Rural Residential 3	F
PORTION OF LOT 5 SECTION 13 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP64321	2001 Kloppenburg Court	RU4h – Low Density Cluster Housing (Hillside Area)	RU1h – Large Lot Housing (Hillside Area)	G
PORTION OF LOT 75 SECTION 9 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN KAP80107	1198 Long Ridge Drive	RU1h – Large Lot Housing (Hillside Area)	P3 - Parks & Open Space	H
PORTION OF LOT B DISTRICT LOT 123 OSOYOOS DIVISION YALE DISTRICT PLAN EPP41714	480 Penno Road	Not currently zoned	P3 - Parks & Open Space	I
PORTION OF LOT 3 SECTION 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP94737	5070 Twinflower Crescent	P3 - Parks & Open Space	RU2h – Medium Lot Housing (Hillside Area)	J
LOT 6 DISTRICT LOT 136 OSOYOOS DIVISION YALE DISTRICT PLAN 11487	765 Rose Avenue	RM1 - Four Dwelling Housing	RU6 - Two Dwelling Housing	K
STRATA LOT 1 DISTRICT LOT 136 OSOYOOS DIVISION YALE DISTRICT STRATA PLAN EPS5184 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V	813 Rose Avenue	RU6 - Two Dwelling Housing	RM1 - Four Dwelling Housing	K
STRATA LOT 2 DISTRICT LOT 136 OSOYOOS DIVISION YALE DISTRICT STRATA PLAN EPS5184 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V	815 Rose Avenue	RU6 - Two Dwelling Housing	RM1 - Four Dwelling Housing	K
STRATA LOT 3 DISTRICT LOT 136 OSOYOOS DIVISION YALE DISTRICT STRATA PLAN EPS5184 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V	811 Rose Avenue	RU6 - Two Dwelling Housing	RM1 - Four Dwelling Housing	K
STRATA LOT 4 DISTRICT LOT 136 OSOYOOS DIVISION YALE DISTRICT STRATA PLAN EPS5184 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V	817 Rose Avenue	RU6 - Two Dwelling Housing	RM1 - Four Dwelling Housing	K
LOT 3 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 2207	248 Bernard Avenue	C7 – Central Business Commercial	P3 - Parks & Open Space	N/A
LOT 5 DISTRICT LOT 143 OSOYOOS DIVISION YALE DISTRICT PLAN 24833	838 – 840 Mayfair Road	RU1 – Large Lot Housing	RU1c – Large Lot Housing with Carriage House	N/A

N



MAP "A" OCP AMENDMENT
File: OCP19-0005



Subject Property



S2RESH -Single / Two Unit Residential - Hillside to S2RES - Single / Two Unit Residential

This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.

City of

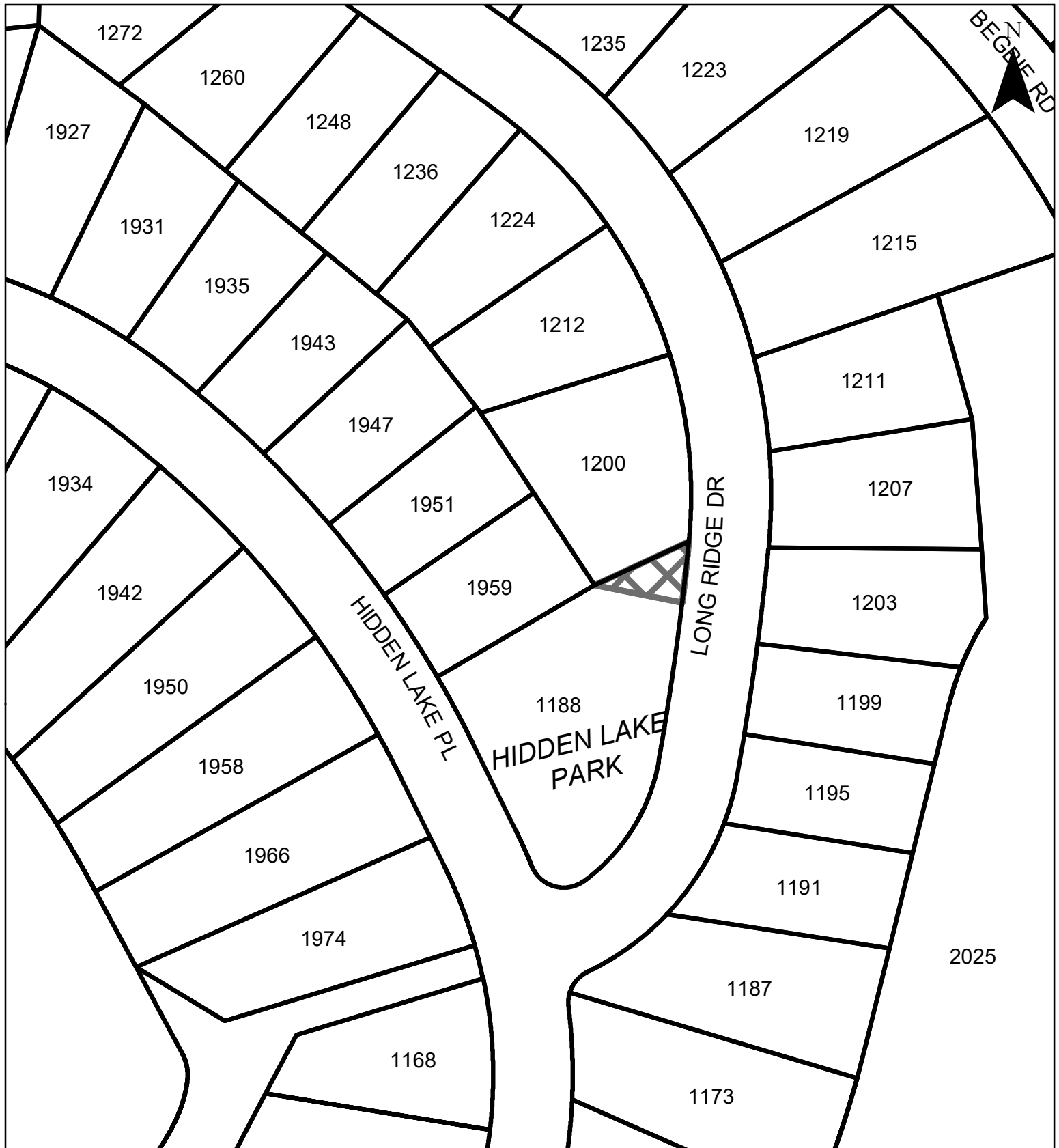
Kelowna



7/1 AC

0 15 30 Metres

Rev. 11/12/2020



MAP "B" OCP AMENDMENT
File: OCP19-0005



Subject Property



S2RES - Single / Two Unit Residential to PARK - Major Park/Open Space

This map is for general information only.
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accuracy. All information should be verified.



City of
Kelowna

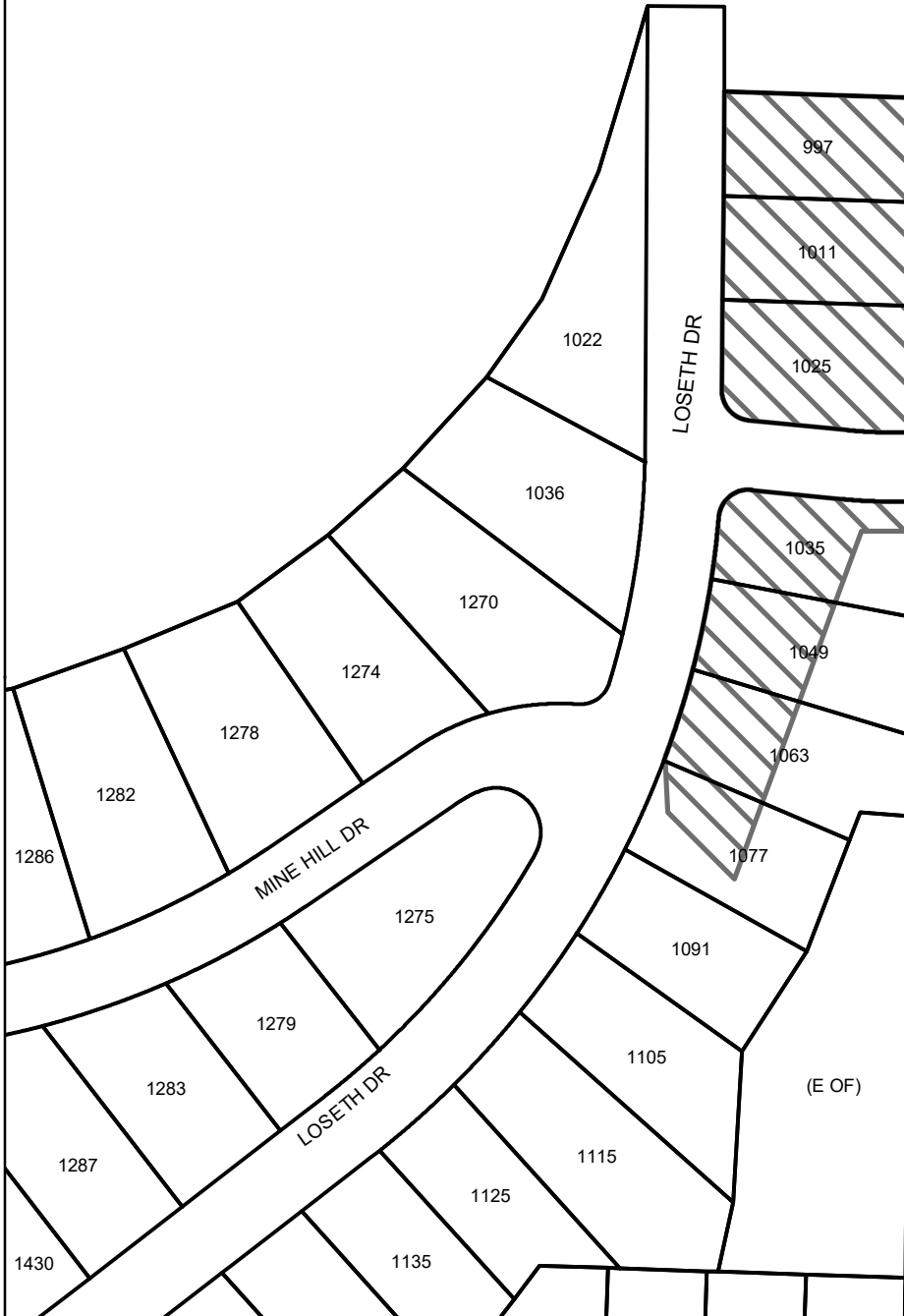
0 10 20 Metres

Rev. 9/21/2020

KB



(N OF)



630

(E OF)

775

MAP "C" OCP AMENDMENT

File: OCP19-0005



Subject Property



S2RES - Single / Two Unit Residential to S2RESH - Single / Two Unit Residential Hillside

This map is for general information only.
The City of Kelowna does not guarantee its
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City of
Kelowna

73

KB

0 20 40 Metres

Rev. 11/12/2020

N



4973

STEELE RD

4989

5089

5090

4995

5083

5084

5001

5077

5076

5009

5071

5015

5065

5070

5021

TWINFLOWER CR

4975

5027

5064

5060

MAP "D" OCP AMENDMENT

File: OCP19-0005



Subject Property



PARK - Major Park / Open Space to S2RESH - Single / Two Unit Residential - Hillside

This map is for general information only.
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accuracy. All information should be verified.



City of

Kelowna

0 5 10 Metres

Rev. 11/12/2020

74 KB



MAP "E" PROPOSED ZONING

File: Z19-0107



Subject Property

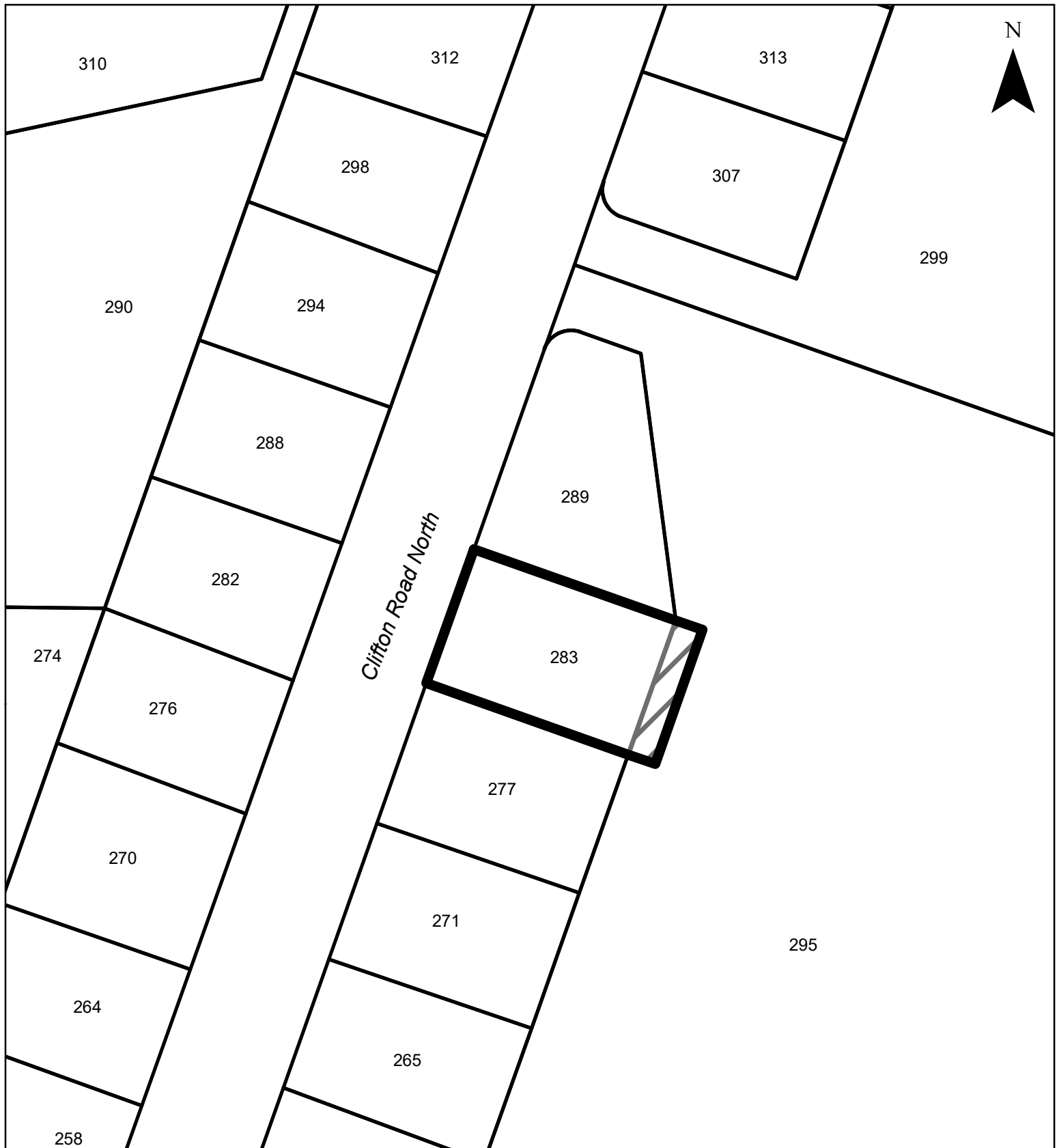
RU1 - Large Lot Housing to P3 - Parks and Open Space

0 30 60 Metres



This map is for general information only.
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accuracy. All information should be verified.



Rev. 9/17/2020



MAP "F" PROPOSED ZONING
File: Z19-0107

-  Subject Property
-  A1 - Agriculture to RR3 - Rural Residential 3

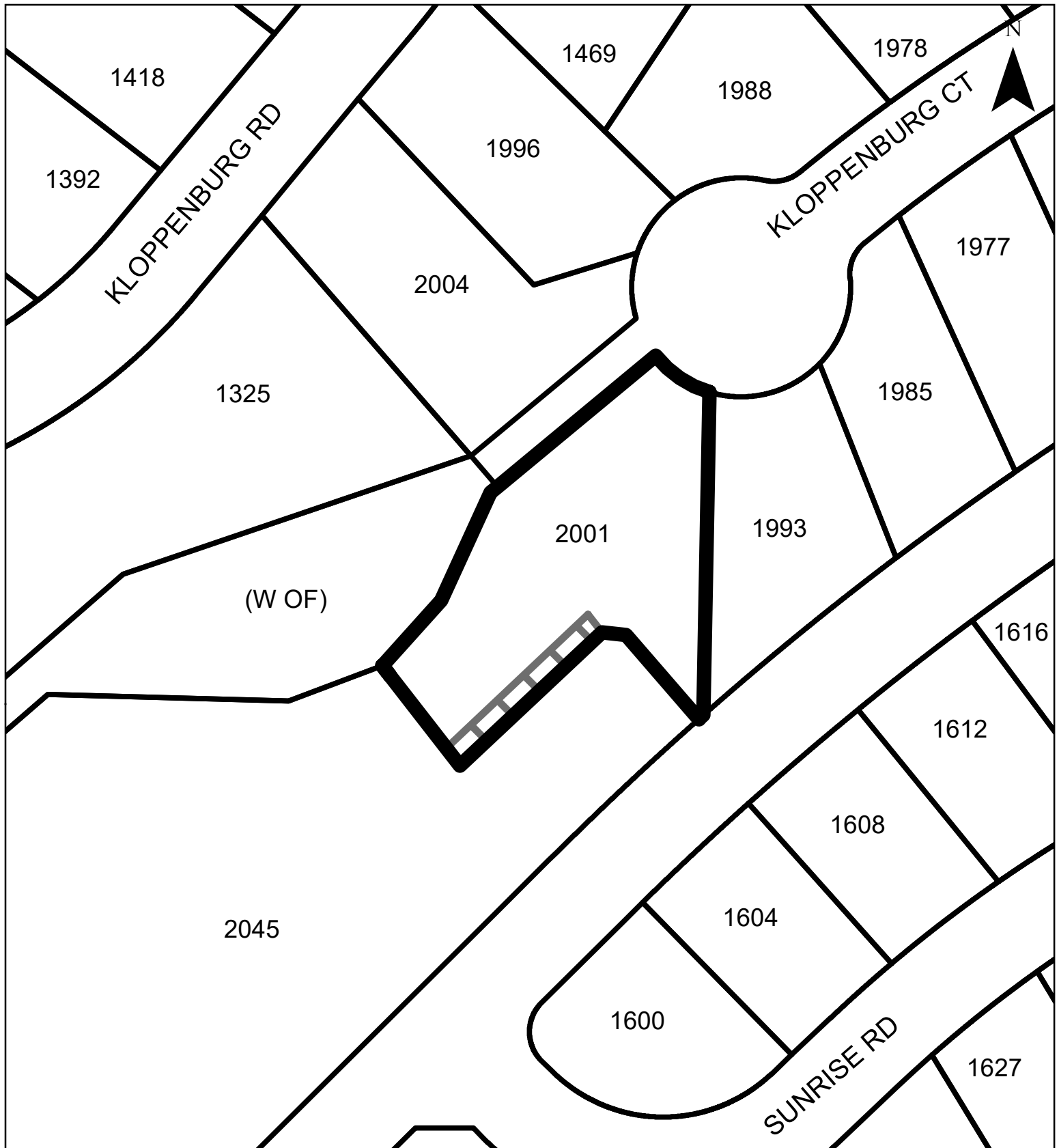
This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.



0 15 30 Metres


Rev. 11/10/2020

KB



MAP "G" PROPOSED ZONING
File: Z19-0107

 Subject Property

 RU4h - Low Density Cluster Housing (Hillside Area) to RU1h - Large Lot Housing (Hillside Area)

This map is for general information only.
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accuracy. All information should be verified.

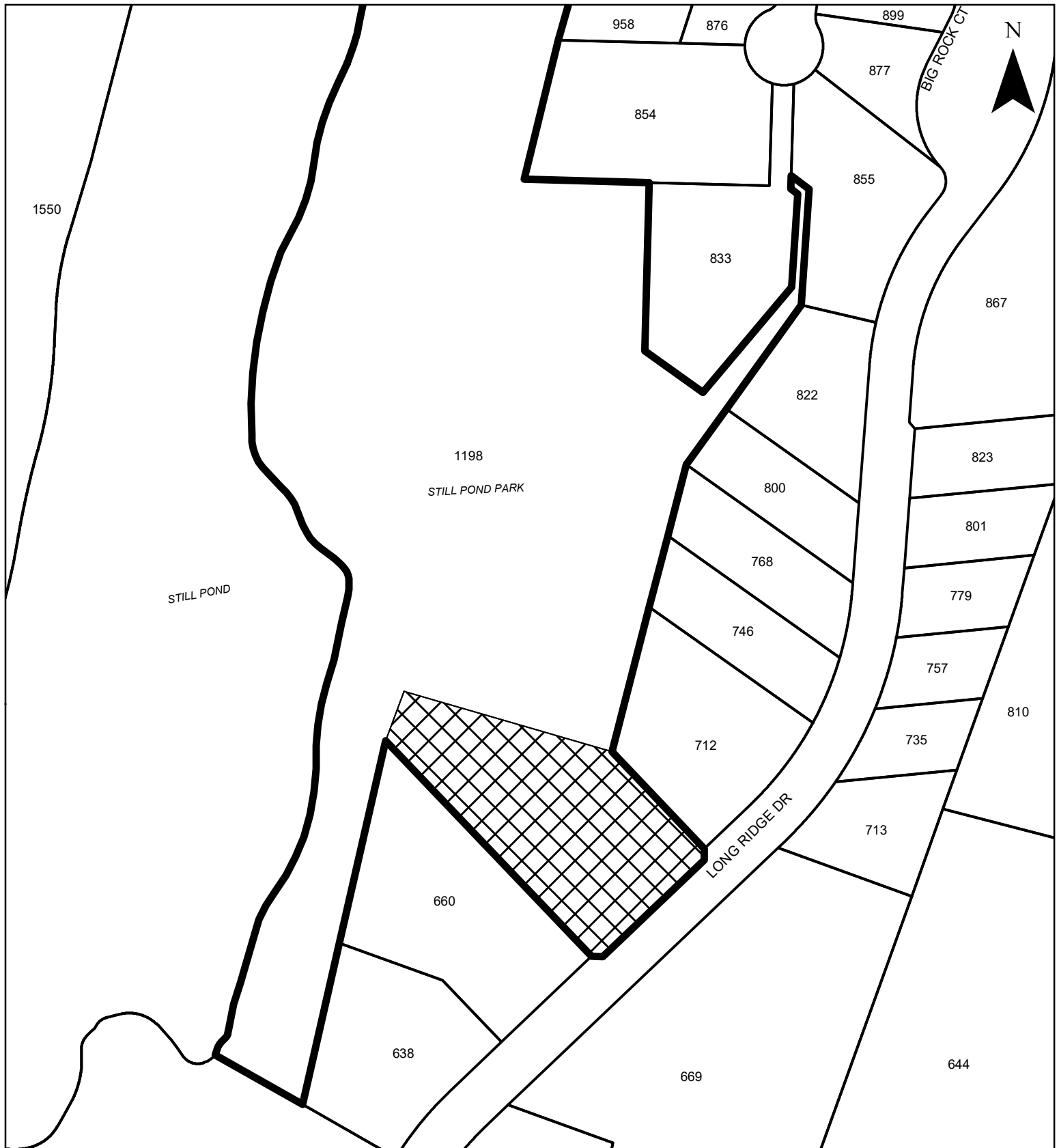


City of
Kelowna

KB

0 10 20 Metres

Rev. 11/12/2020



MAP "H" Proposed Zoning File: Z19-0107



Subject Property



RU1h - Large Lot Housing (Hillside Area) to P3 - Parks and Open Space

This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.

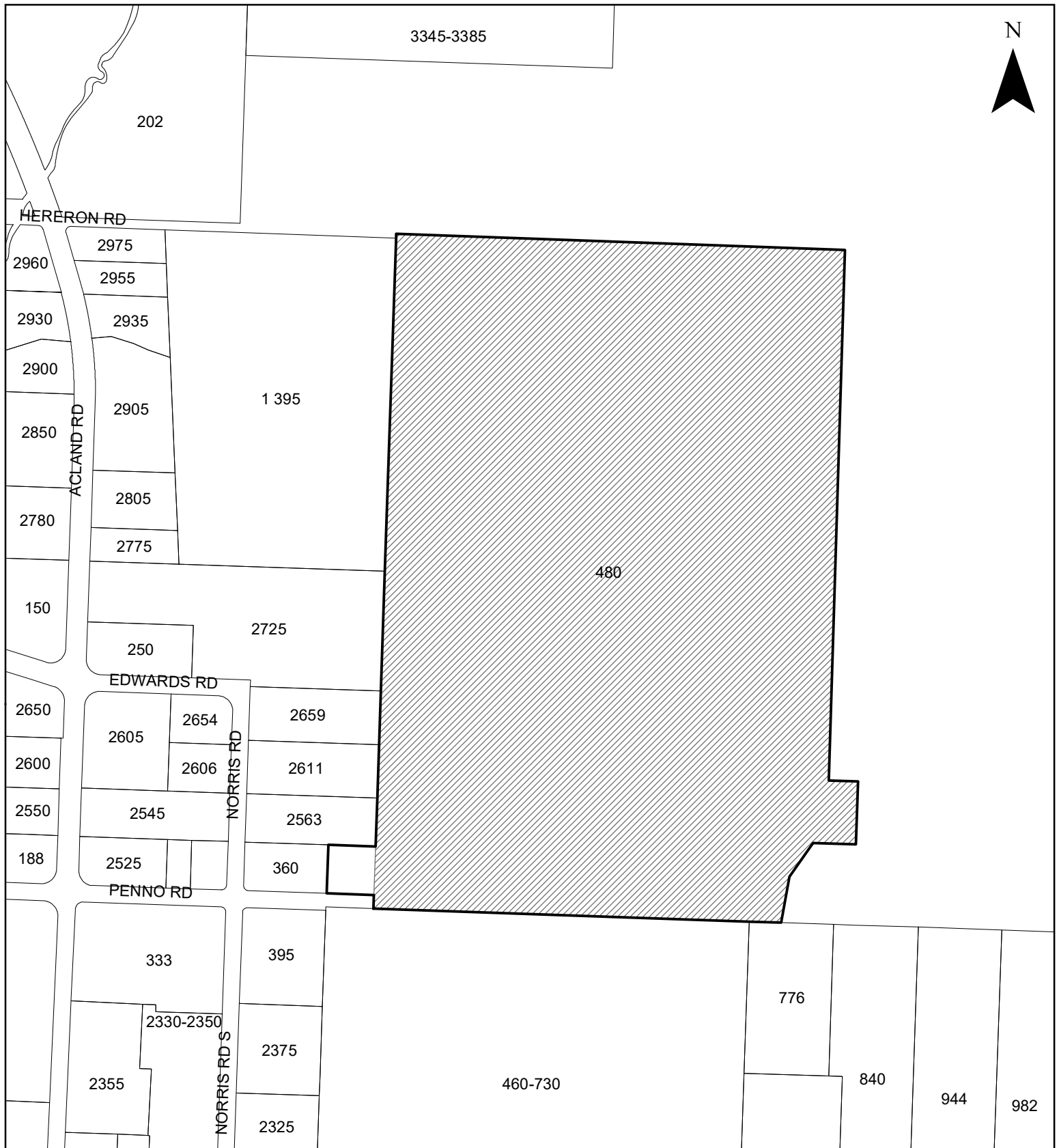


City of
Kelowna



0 20 40 Metres

Rev. 11/12/2020

KB



MAP "I" PROPOSED ZONING File: Z19-0107

-  Subject Property
-  to P3 - Parks and Open Space

This map is for general information only.
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accuracy. All information should be verified.

STEELE RD



4989

5089

5090

4995

5083

5084

5001

5077

5076

5009

5071

5070

5015

5065

4975

5021

TWINFLOWER CR

5064

5027

5060

5080

MAP "J" PROPOSED ZONING

File:Z19-0107



Subject Property



P3 - Parks and Open Space to RU2h - Medium Lot Housing (Hillside Area)

This map is for general information only.
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City of
Kelowna

0 5 10 Metres




Rev. 11/12/2020

86 KB



MAP "K" PROPOSED ZONING

File: Z19-0107

-  Subject Property
-  RM1 - Four Dwelling Housing to RU6 - Two Dwelling Housing
-  RU6 - Two Dwelling Housing to RM1 - Four Dwelling Housing

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0 15 30 Metres

Rev. January 8, 2021 KB



Z19-0107 OCP19-0005 Various Addresses

OCP Amendment & Rezoning Amendment



Proposal

- ▶ To consider an application to amend the Official Community Plan (OCP) to change the future land use designations and to rezone the subject properties to correct various site-specific mapping discrepancies.

Development Process

July 31, 2019

Development Application File Created



Staff Review & Circulation



Jan 25, 2021

Initial Consideration



Public Hearing
Second & Third Readings



Final Reading

Council
Approvals

Project Details

- ▶ Site-Specific Mapping Amendments
- ▶ Align future land use designation & zoning boundaries with existing or proposed future lot lines
- ▶ Correct bylaw amendments from previous applications

Staff Recommendation

- ▶ Staff recommend **support** of the proposed OCP amendments & rezoning
 - ▶ Align future land use designations & zoning boundaries with lot lines
 - ▶ Reduces uncertainty regarding how properties can develop



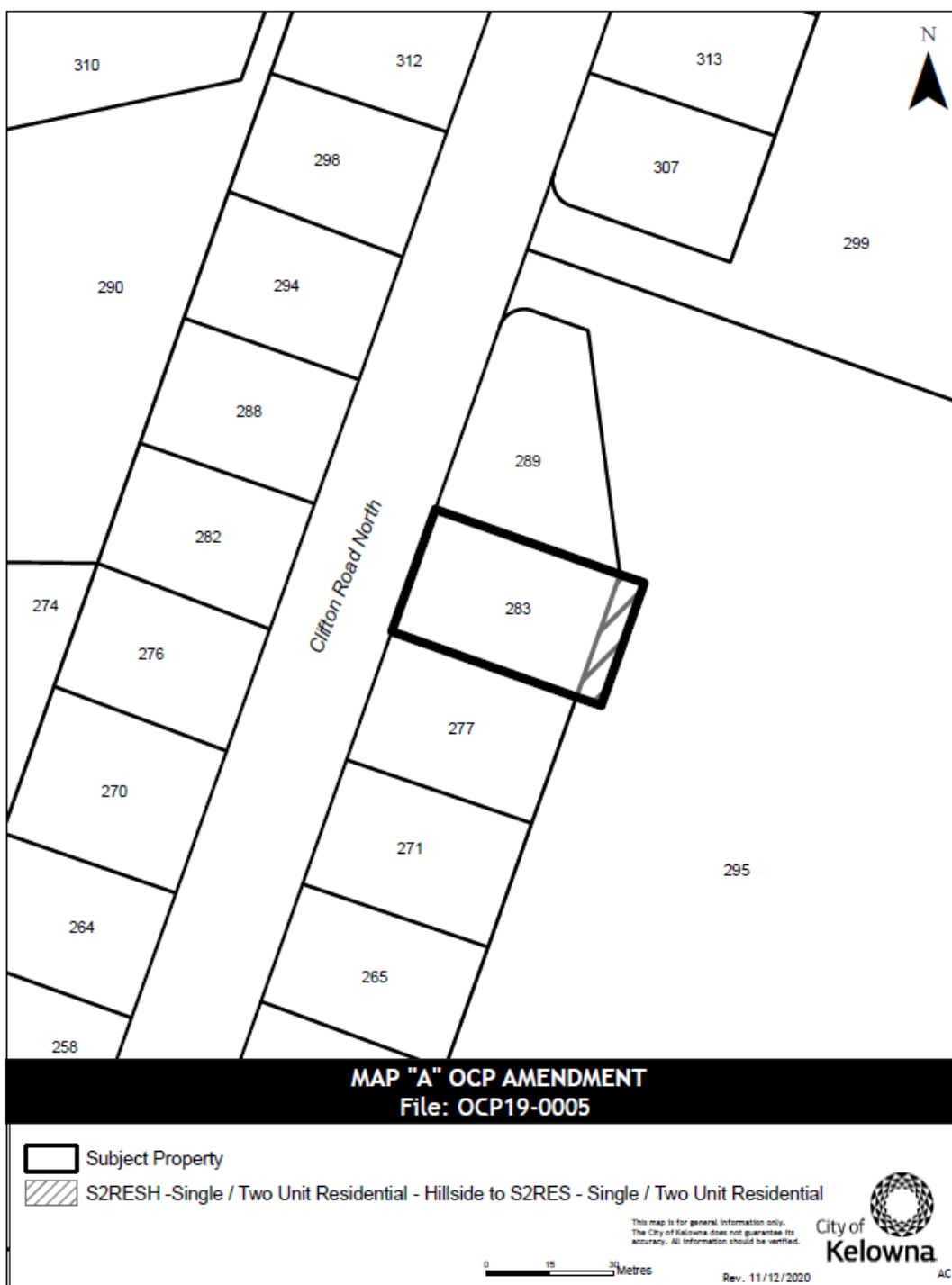
Conclusion of Staff Remarks

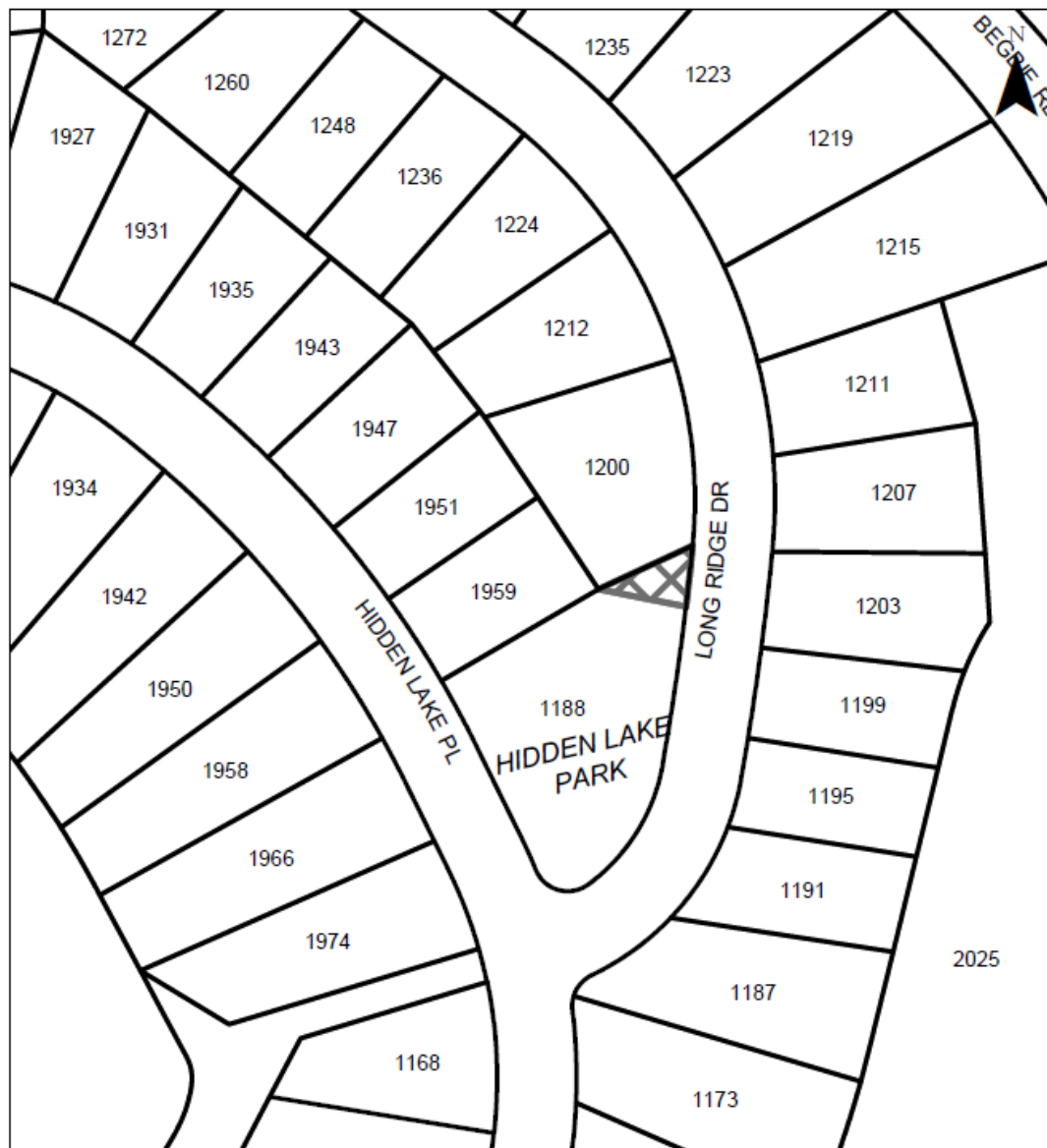
Neighbourhood:

- North Clifton

Amendment:

- S2RESH to S2RES





MAP "B" OCP AMENDMENT
File: OCP19-0005

- Subject Property
- S2RES - Single / Two Unit Residential to PARK - Major Park/Open Space

0 10 20 Metres

Rev. 9/21/2020

This map is for general information only.
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accuracy. All information should be verified.



KB

Neighbourhood:

- Wilden

Amendment:

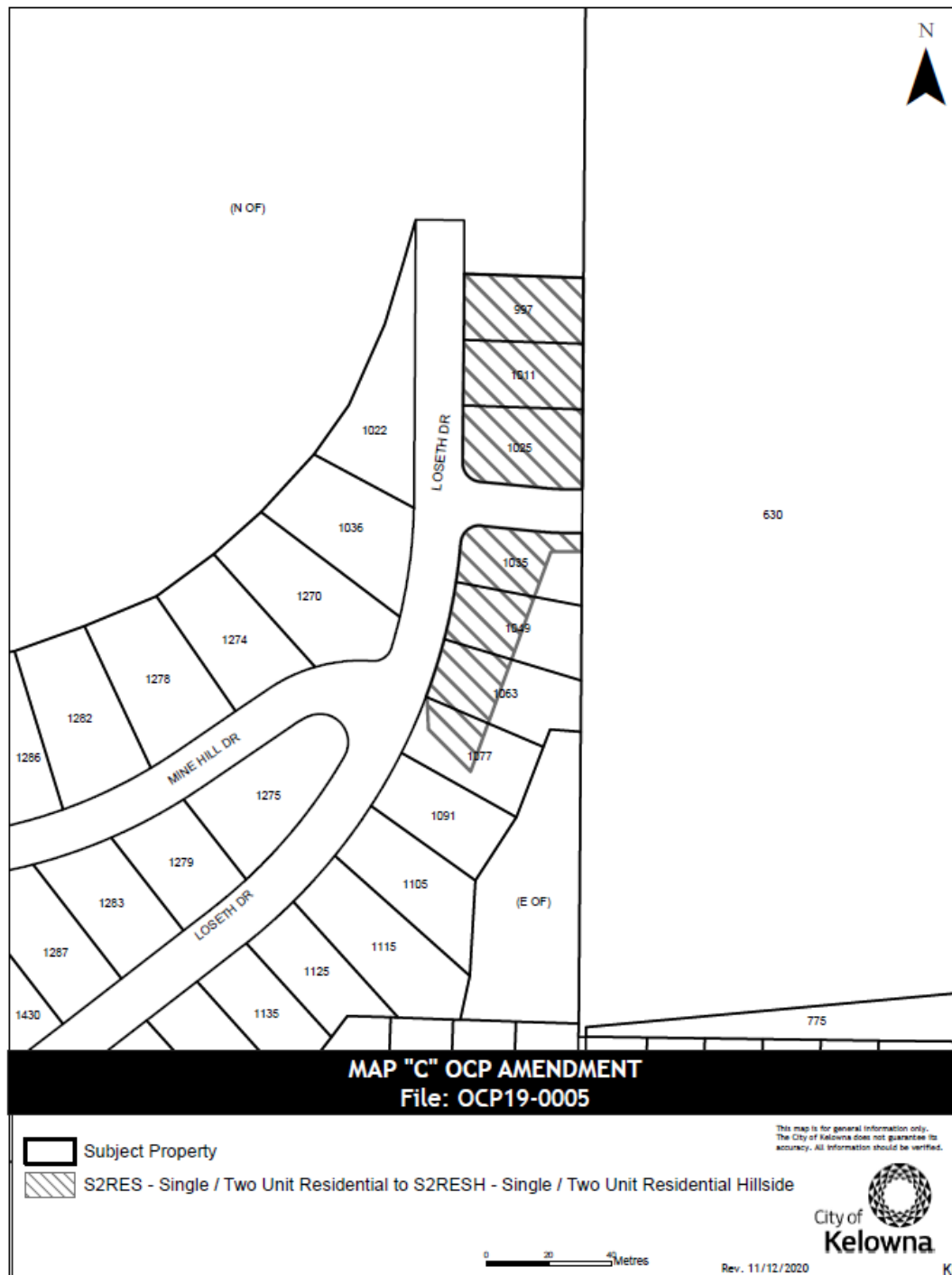
- S2RES to PARK

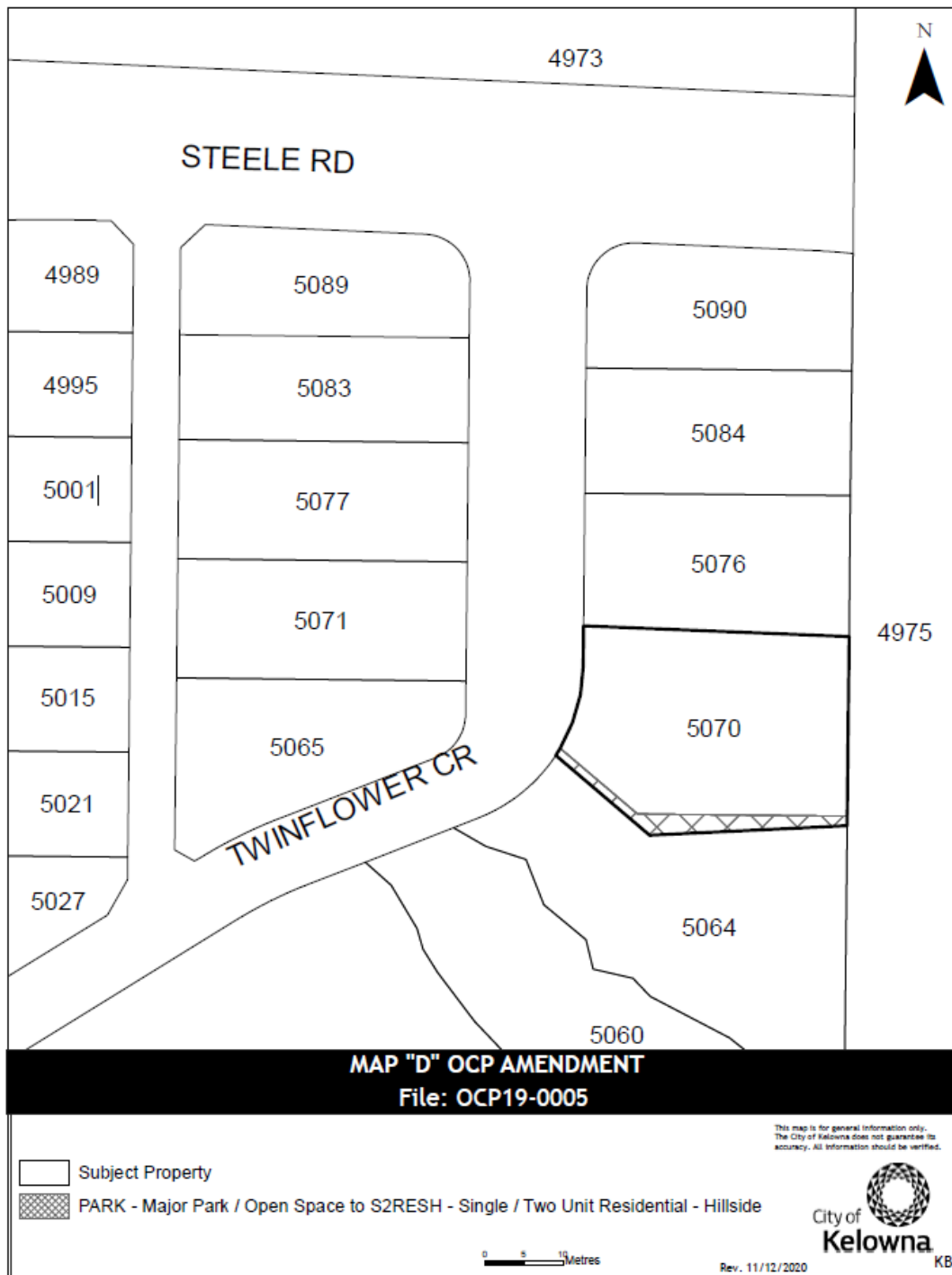
Neighbourhood:

- Black Mountain

Amendment:

- S2RES to S2RESH



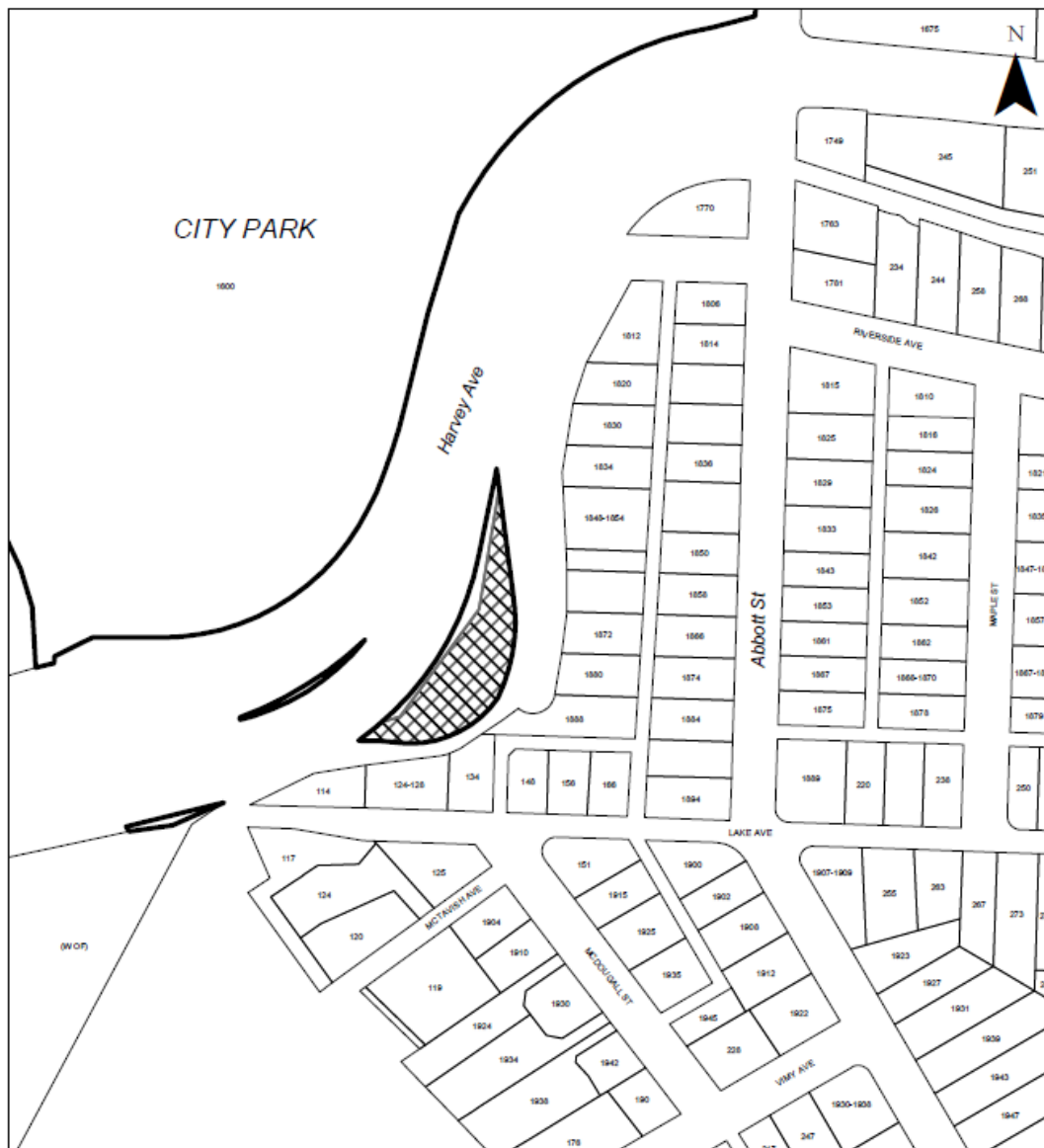


Neighbourhood:

- Upper Mission

Amendment:

- PARK to S2RESH



MAP "E" PROPOSED ZONING
File: Z19-0107



Subject Property



RU1 - Large Lot Housing to P3 - Parks and Open Space

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City of

Kelowna



KB

0 30 60 Metres

Rev. 9/17/2020

Neighbourhood:

- City Park

Amendment:

- RU₁ to P₃

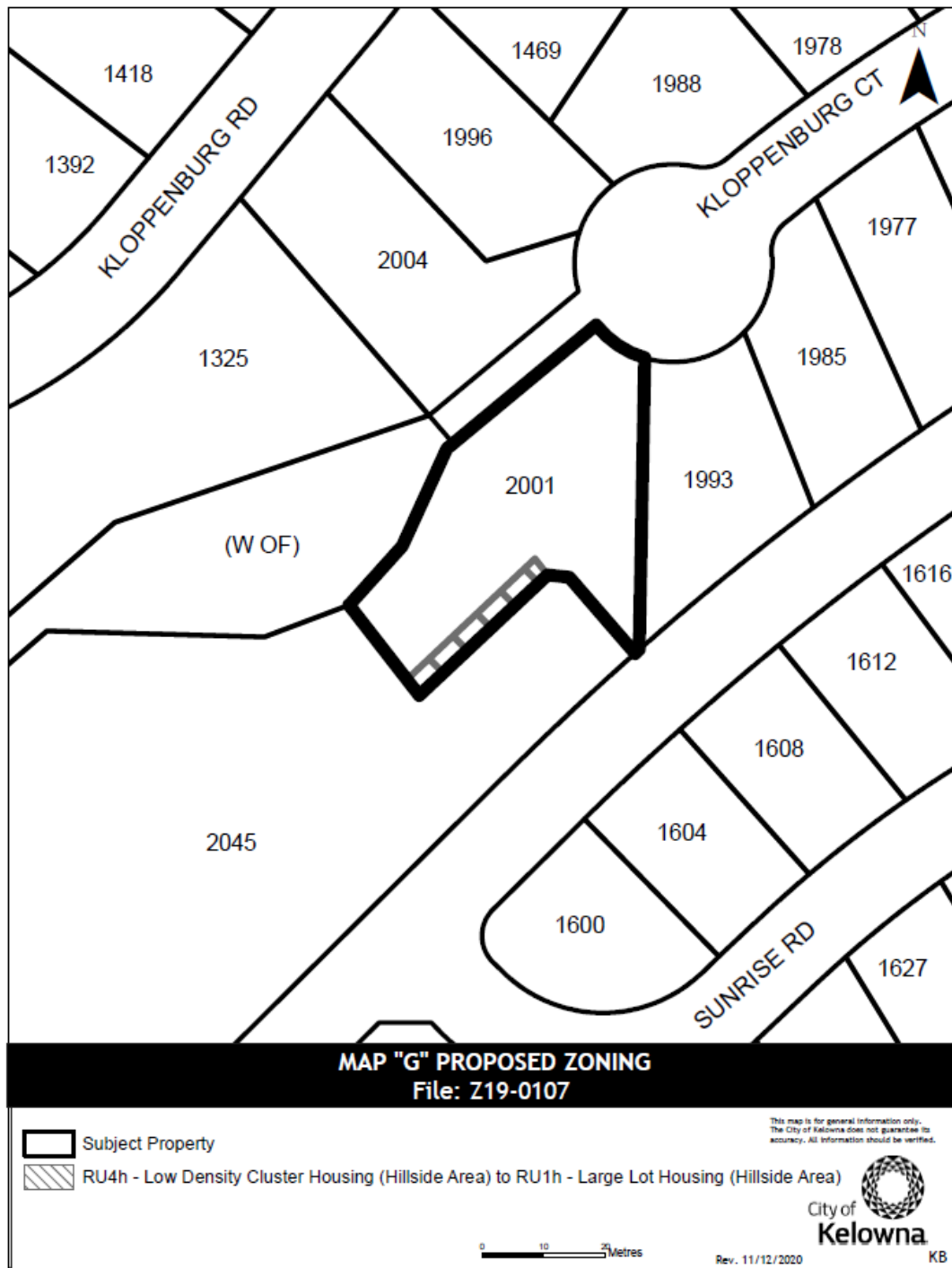


Neighbourhood:

- North Clifton

Amendment:

- A1 to RR₃

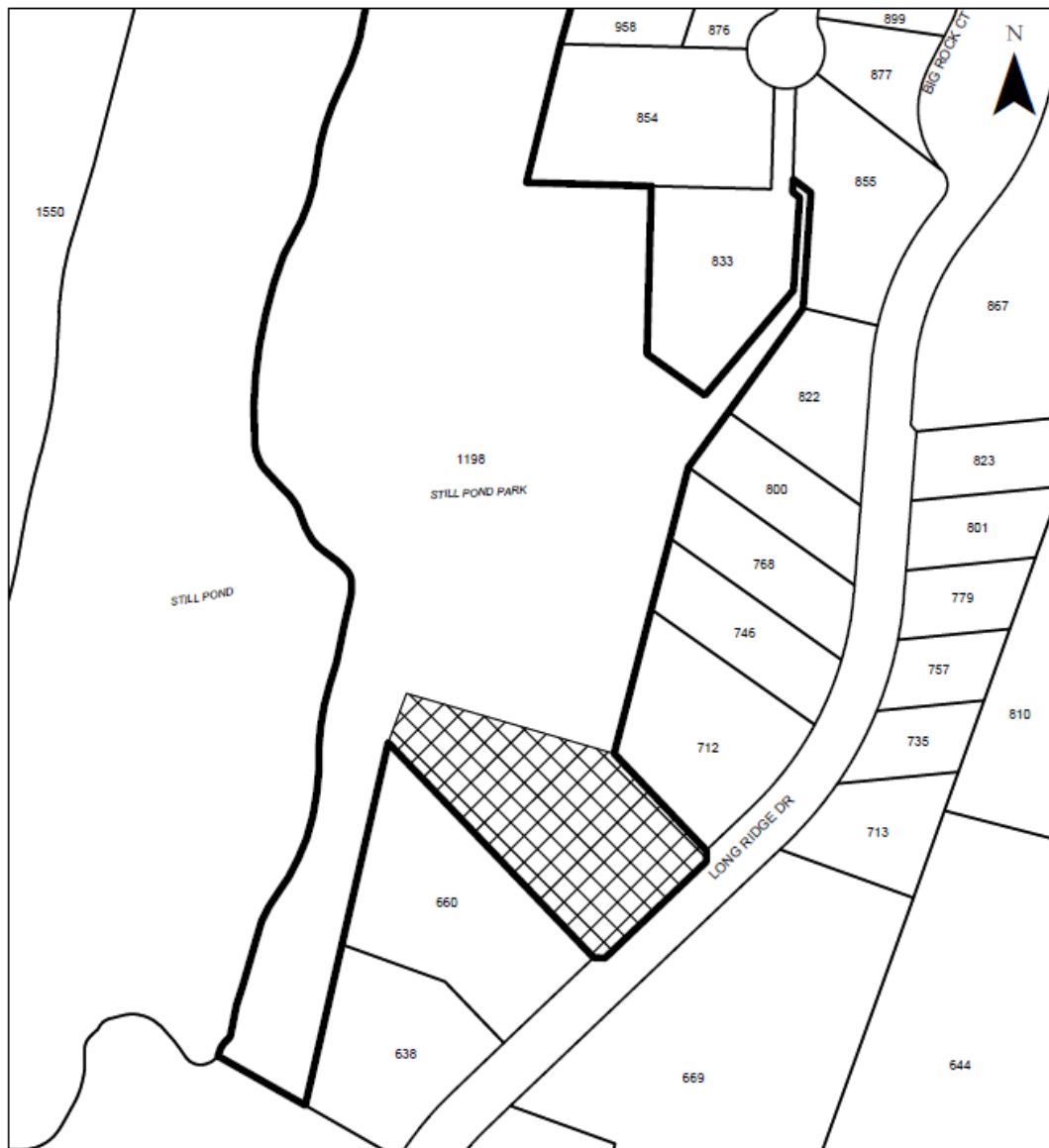


Neighbourhood:


- Black Mountain

Amendment:

- RU_{4h} to RU₁



MAP "H" Proposed Zoning
File: Z19-0107

-  Subject Property
-  RU1h - Large Lot Housing (Hillside Area) to P3 - Parks and Open Space

0 20 40 Metres

Rev. 11/12/2020



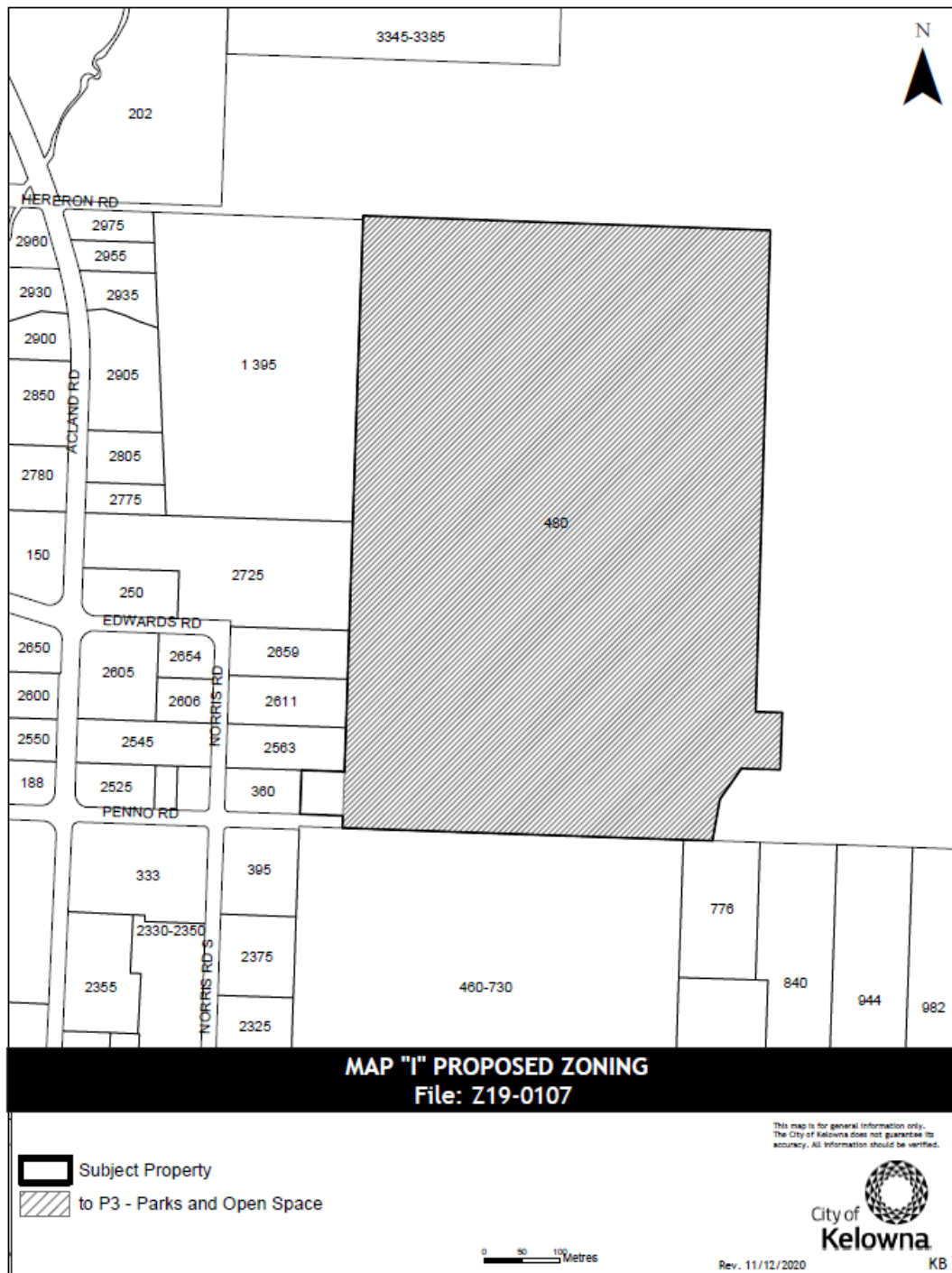
KB

Neighbourhood:

- Wilden

Amendment:

- RU1h to P₃

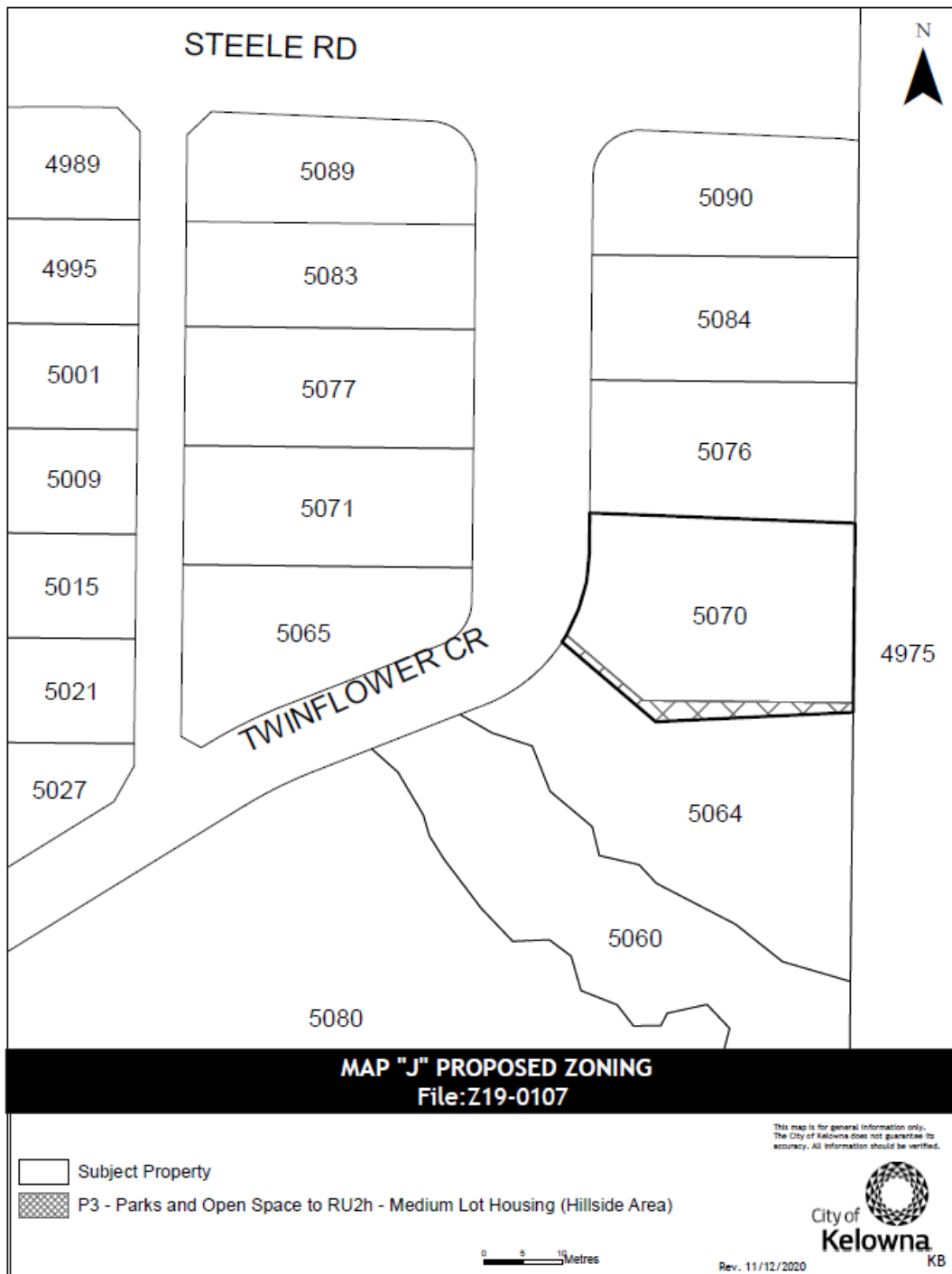


Neighbourhood:

- Sexsmith

Amendment:

- to P₃



Neighbourhood:




- Upper Mission

Amendment:

- P₃ to RU_{2h}



MAP "K" PROPOSED ZONING
File: Z19-0107

-  Subject Property
-  RM1 - Four Dwelling Housing to RU6 - Two Dwelling Housing
-  RU6 - Two Dwelling Housing to RM1 - Four Dwelling Housing

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Rev. January 8, 2021 KB

0 15 30 Metres

Neighbourhood:

- Hospital

Amendment:

- RU6 to RM1
- RM1 to RU6

Neighbourhood:

- Downtown

Amendment:

- C7 to P3





Neighbourhood:

- Rutland

Amendment:

- RU1 to RU1c

CITY OF KELOWNA

BYLAW NO. 11928

Official Community Plan Amendment No. OCP19-0005 Multiple Addresses

A bylaw to amend the "*Kelowna 2030* – Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of:
 - a) Portion of LOT 1 SECTION 8 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN EPP77782 located at Clifton Road North from the S2RESH – Single/Two Unit Residential Hillside designation to the S2RES – Single/Two Unit Residential designation as shown on Map "A" attached to and forming part of this bylaw;
 - b) Portion of LOT 14 SECTION 9 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN KAP81912 located at Long Ridge Drive, Kelowna, BC from the S2RES – Single-Two Unit Residential designation to the PARK – Major Park/Open Space designation as shown on Map "B" attached to and forming part of this bylaw;
 - c) LOT 12 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252 located at Loseth Drive, Kelowna, BC from the S2RES – Single/Two Unit Residential designation to the S2RESH – Single/Two Unit Residential Hillside designation as shown on Map "C" attached to and forming part of this bylaw;
 - d) LOT 13 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252 located at Loseth Drive, Kelowna, BC from the S2RES – Single/Two Unit Residential designation to the S2RESH – Single/Two Unit Residential Hillside designation as shown on Map "C" attached to and forming part of this bylaw;
 - e) LOT 14 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252 located at Loseth Drive, Kelowna, BC from the S2RES – Single/Two Unit Residential designation to the S2RESH – Single/Two Unit Residential Hillside designation as shown on Map "C" attached to and forming part of this bylaw;
 - f) Portion of LOT 15 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252 located at Loseth Drive, Kelowna, BC from the S2RES – Single/Two Unit Residential designation to the S2RESH – Single/Two Unit Residential Hillside designation as shown on Map "C" attached to and forming part of this bylaw;
 - g) Portion of LOT 16 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252 located at Loseth Drive, Kelowna, BC from the S2RES – Single/Two Unit Residential designation to the S2RESH – Single/Two Unit Residential Hillside designation as shown on Map "C" attached to and forming part of this bylaw;

- h) Portion of LOT 17 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252 located at Loseth Drive, Kelowna, BC from the S2RES – Single/Two Unit Residential designation to the S2RESH – Single/Two Unit Residential Hillside designation as shown on Map “C” attached to and forming part of this bylaw;
- i) Portion of LOT 18 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP78252 located at Loseth Drive, Kelowna, BC from the S2RES – Single/Two Unit Residential designation to the S2RESH – Single/Two Unit Residential Hillside designation as shown on Map “C” attached to and forming part of this bylaw;
- j) Portion of LOT 3 SECTION 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP94737 located at Twinflower Crescent, Kelowna, BC from the PARK – Major Park/Open Space designation to the S2RESH – Single/Two Unit Residential Hillside designation as shown on Map “D” attached to and forming part of this bylaw;

- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 25th day of January, 2021.

Considered at a Public Hearing on the

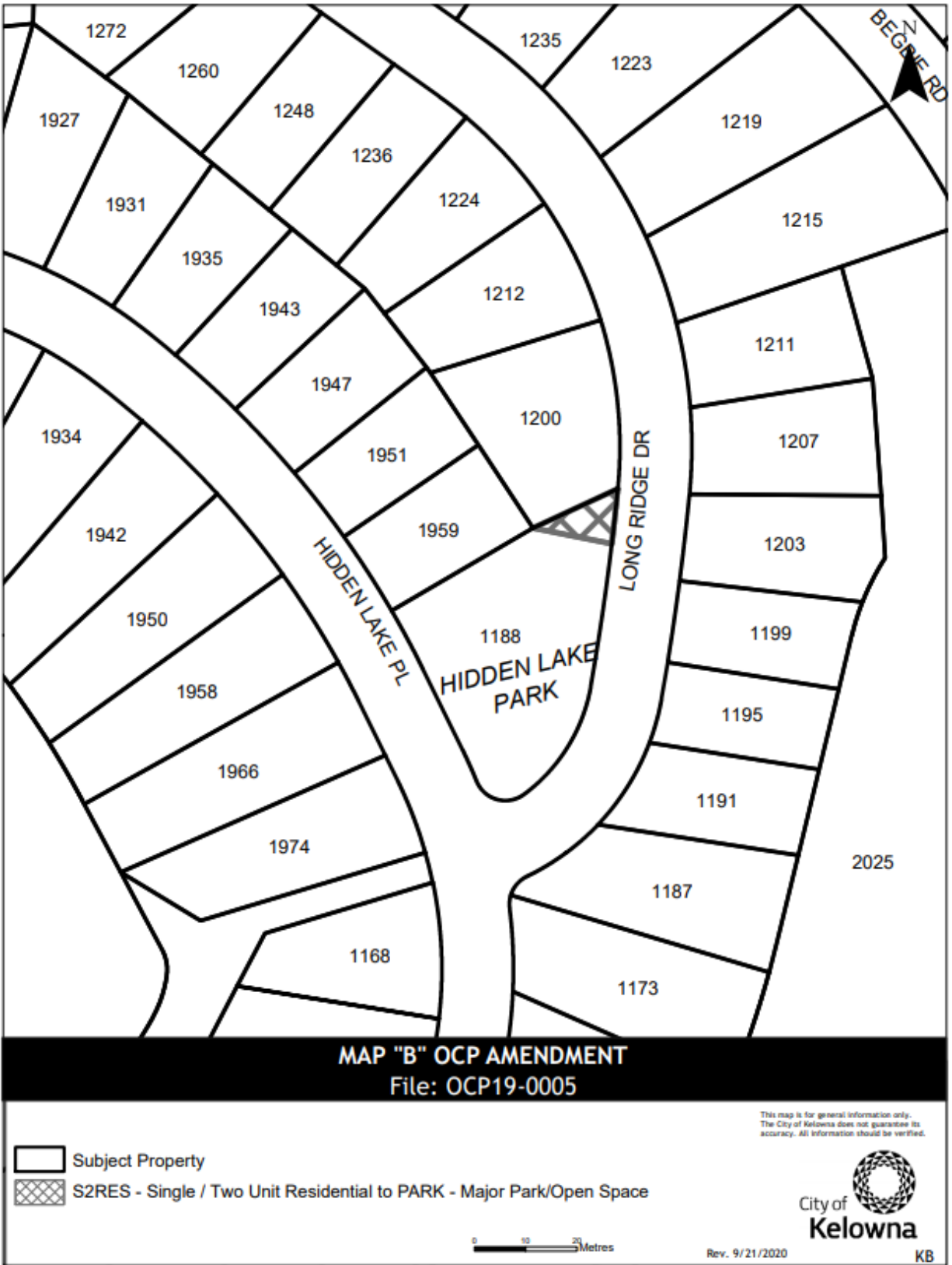
Read a second and third time by the Municipal Council this

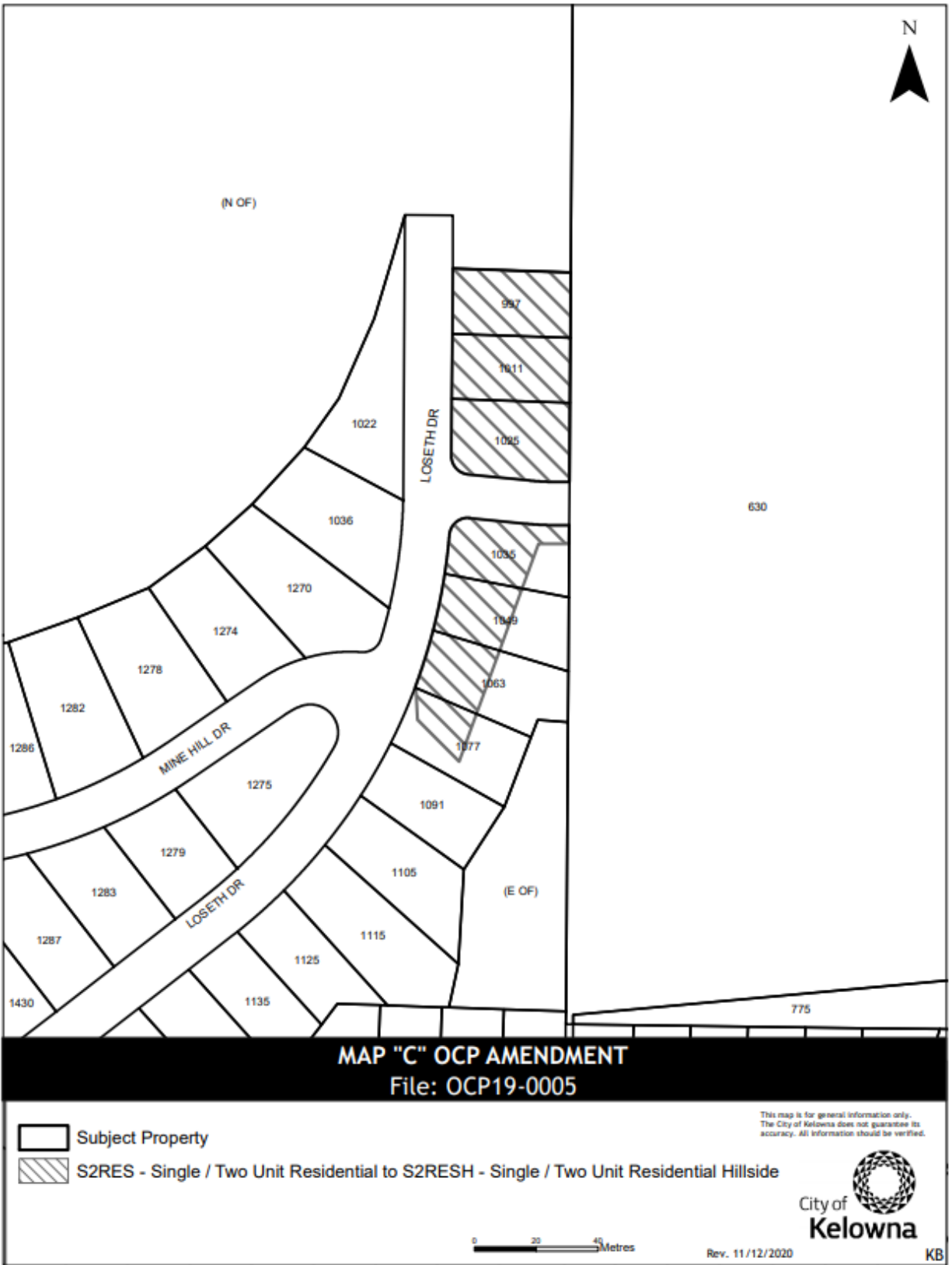
Adopted by the Municipal Council of the City of Kelowna this

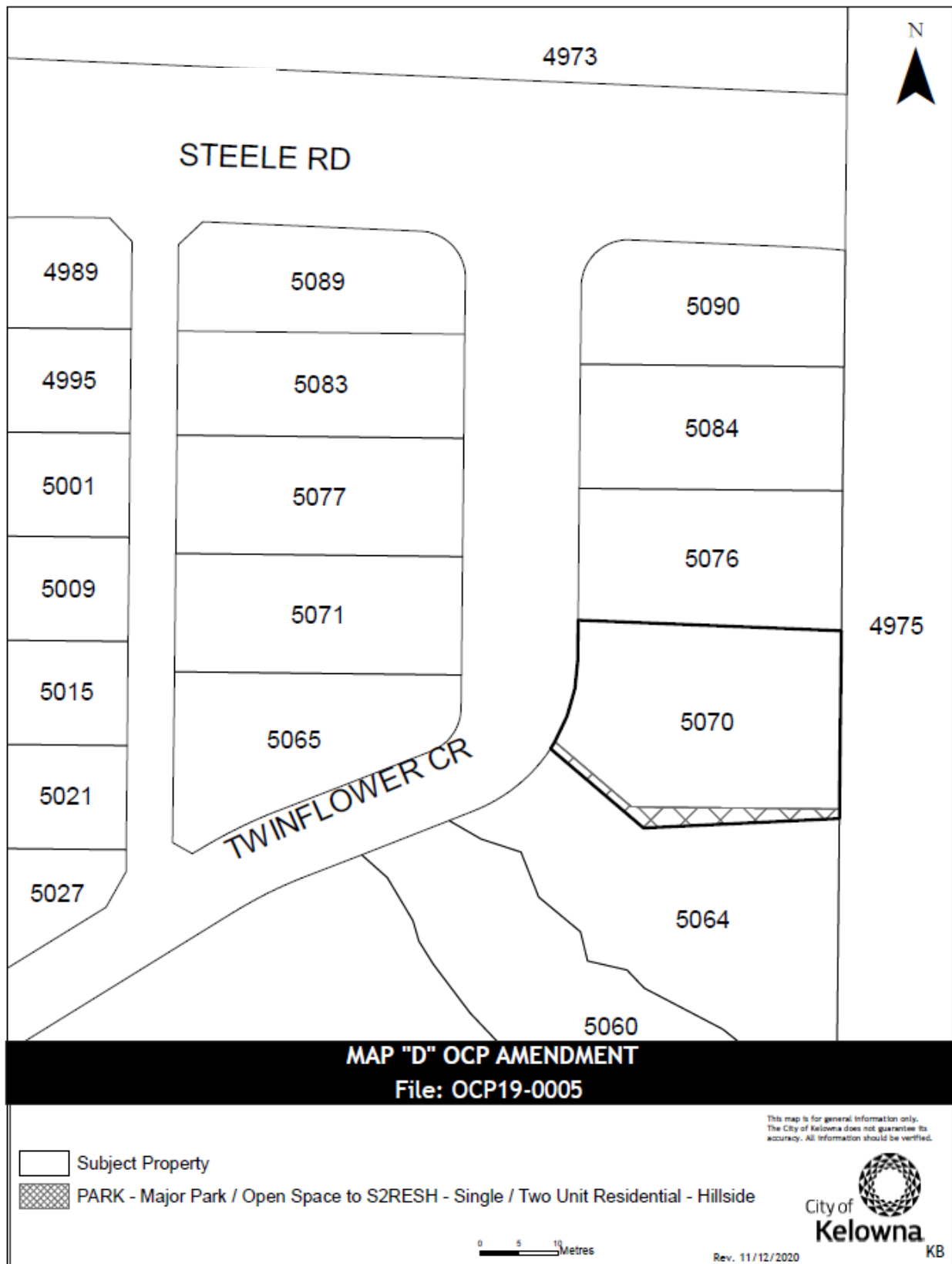
Mayor

City Clerk









CITY OF KELOWNA
BYLAW NO. 11929
Z19-0107 – Multiple Addresses

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of:
 - a) Portion of PARCEL Z (DD X₄₁₀₃) OF DISTRICT LOT 14 OSOYOOS DIVISION YALE DISTRICT EXCEPT PLAN KAP80506 located at Abbott Street, Kelowna, BC from the RU₁ – Large Lot Housing zone to the P₃ – Parks & Open Space zone as shown on Map "E" attached to and forming part of this bylaw;
 - b) Portion of LOT 1 SECTION 8 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN EPP77782 located at Clifton Road North, Kelowna, BC from the A₁ – Agriculture 1 zone to the RR₃ – Rural Residential 3 zone as shown on Map "F" attached to and forming part of this bylaw;
 - c) Portion of LOT 5 SECTION 13 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP64321 located at Kloppenburg Court, Kelowna, BC from the RU_{4h} – Low Density Cluster Housing (Hillside Area) zone to the RU_{1h} – Large Lot Housing (Hillside Area) zone as shown on Map "G" attached to and forming part of this bylaw;
 - d) Portion of LOT 75 SECTION 9 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN KAP80107 located at Long Ridge Drive, Kelowna, BC from the RU_{1h} – Large Lot Housing (Hillside Area) zone to the P₃ – Parks & Open Space zone as shown on Map "H" attached to and forming part of this bylaw;
 - e) Portion of LOT B DISTRICT LOT 123 OSOYOOS DIVISION YALE DISTRICT PLAN EPP41714 located at Penno Road, Kelowna, BC to the P₃ – Parks & Open Space zone as shown on Map "I" attached to and forming part of this bylaw;
 - f) Portion of LOT 3 SECTION 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP94737 located at Twinflower Crescent, Kelowna, BC from the P₃ – Parks & Open Space zone to the RU_{2h} – Medium Lot Housing (Hillside Area) zone as shown on Map "J" attached to and forming part of this bylaw;
 - g) LOT 6 DISTRICT LOT 136 OSOYOOS DIVISION YALE DISTRICT PLAN 11487 located at Rose Avenue, Kelowna, BC from the RM₁ – Four Dwelling Housing zone to the RU₆ – Two Dwelling Housing zone as shown on Map "K" attached to and forming part of this bylaw;
 - h) STRATA LOT 1 DISTRICT LOT 136 OSOYOOS DIVISION YALE DISTRICT STRATA PLAN EPS5184 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V located at Rose Avenue, Kelowna, BC from the RU₆ – Two Dwelling Housing zone to the RM₁ – Four Dwelling Housing zone as shown on Map "K" attached to and forming part of this bylaw;
 - i) STRATA LOT 2 DISTRICT LOT 136 OSOYOOS DIVISION YALE DISTRICT STRATA PLAN EPS5184 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V located at Rose Avenue, Kelowna, BC from the RU₆ – Two Dwelling Housing zone to the RM₁ – Four Dwelling Housing zone as shown on Map "K" attached to and forming part of this bylaw;

- j) STRATA LOT 3 DISTRICT LOT 136 OSOYOOS DIVISION YALE DISTRICT STRATA PLAN EPS5184 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V located at Rose Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone as shown on Map “K” attached to and forming part of this bylaw;
 - k) STRATA LOT 4 DISTRICT LOT 136 OSOYOOS DIVISION YALE DISTRICT STRATA PLAN EPS5184 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V located at Rose Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone as shown on Map “K” attached to and forming part of this bylaw;
 - l) LOT 3 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 2207 located at Bernard Avenue, Kelowna, BC from the C7 – Central Business Commercial zone to the P3 – Parks & Open Space zone;
 - m) LOT 5 DISTRICT LOT 143 OSOYOOS DIVISION YALE DISTRICT PLAN 24833 located at Mayfair Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 25th day of January, 2021.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

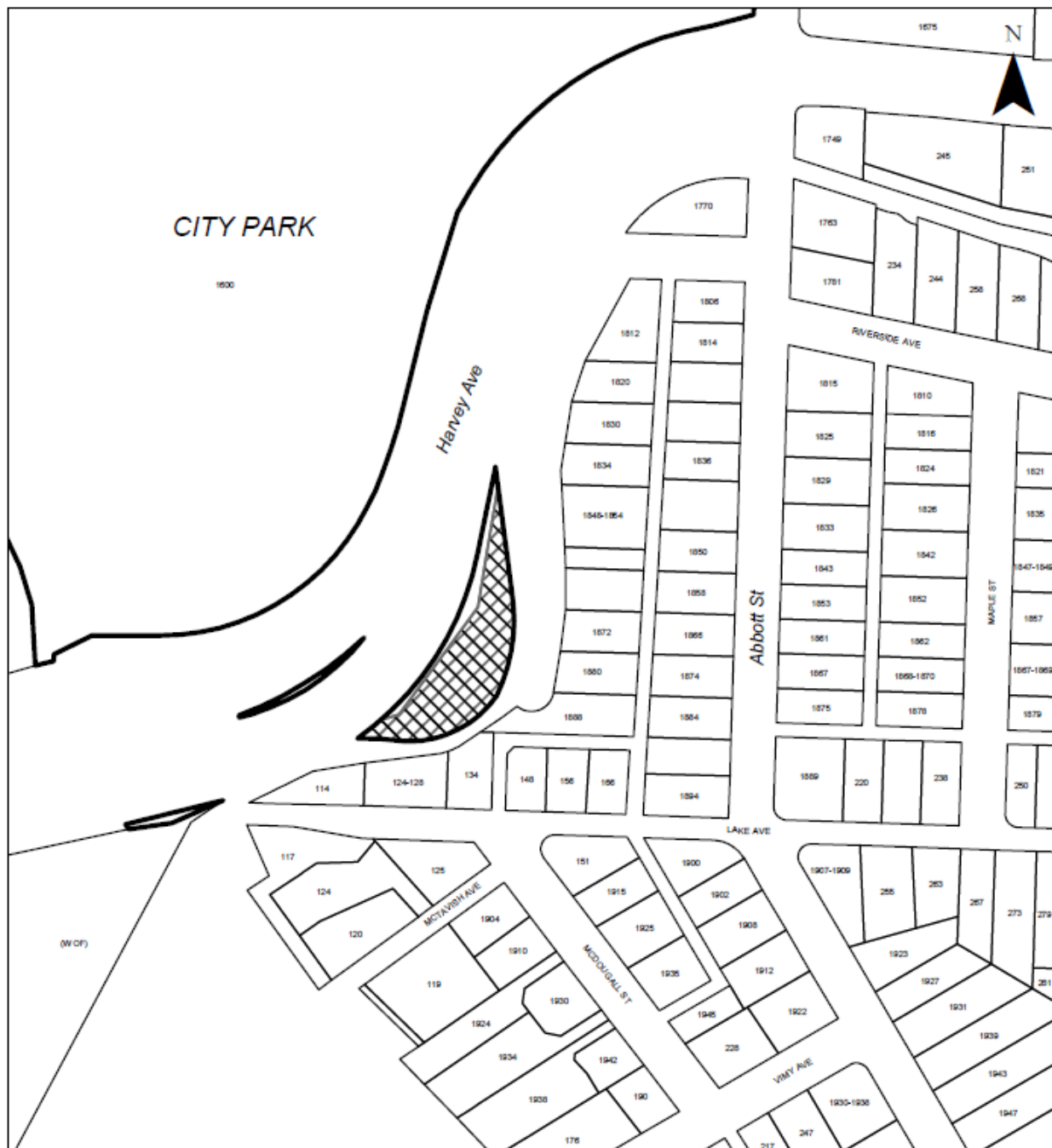
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)



Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



MAP "E" PROPOSED ZONING
File: Z19-0107

-  Subject Property
-  RU1 - Large Lot Housing to P3 - Parks and Open Space

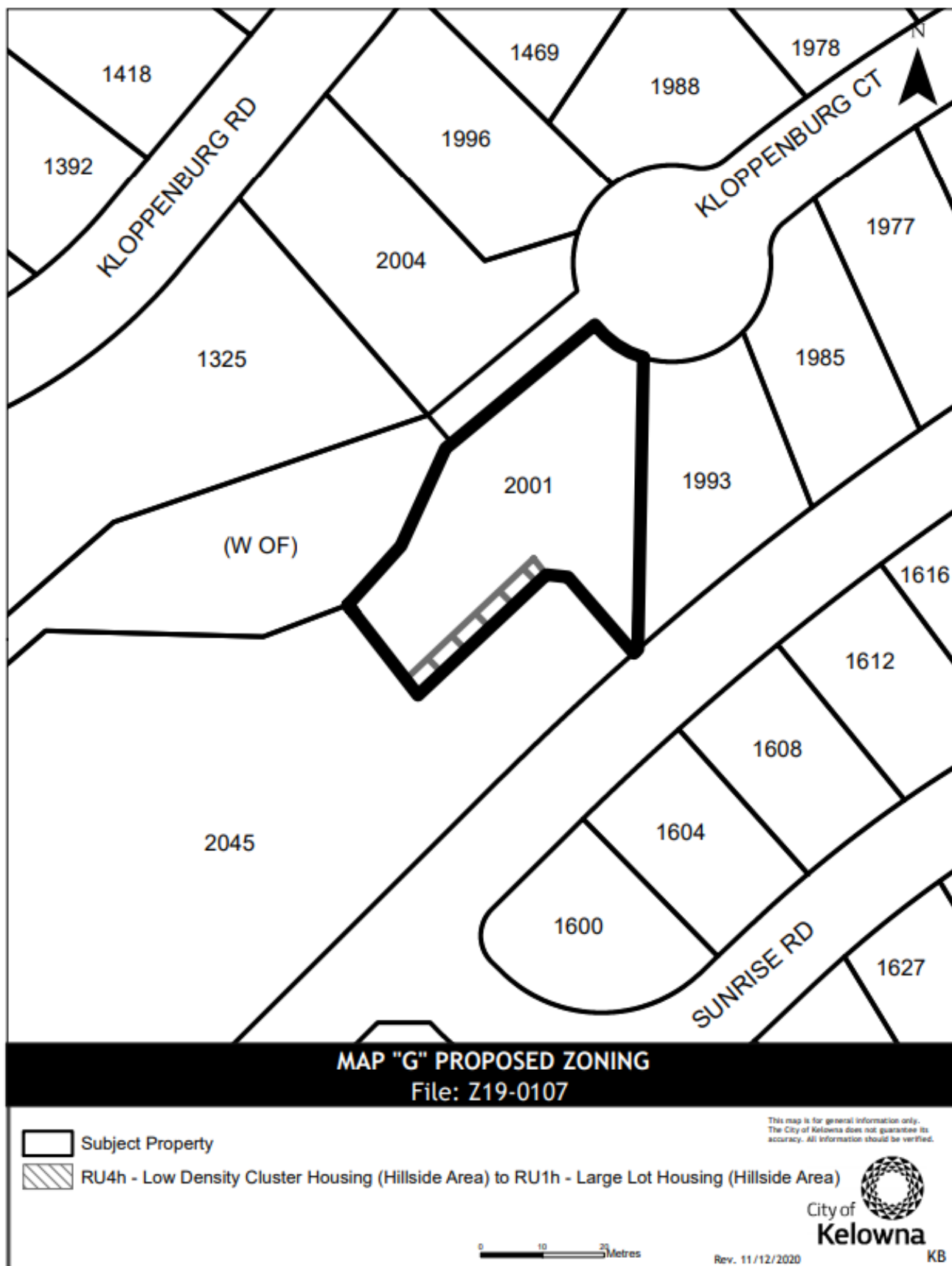
0 30 60 Metres

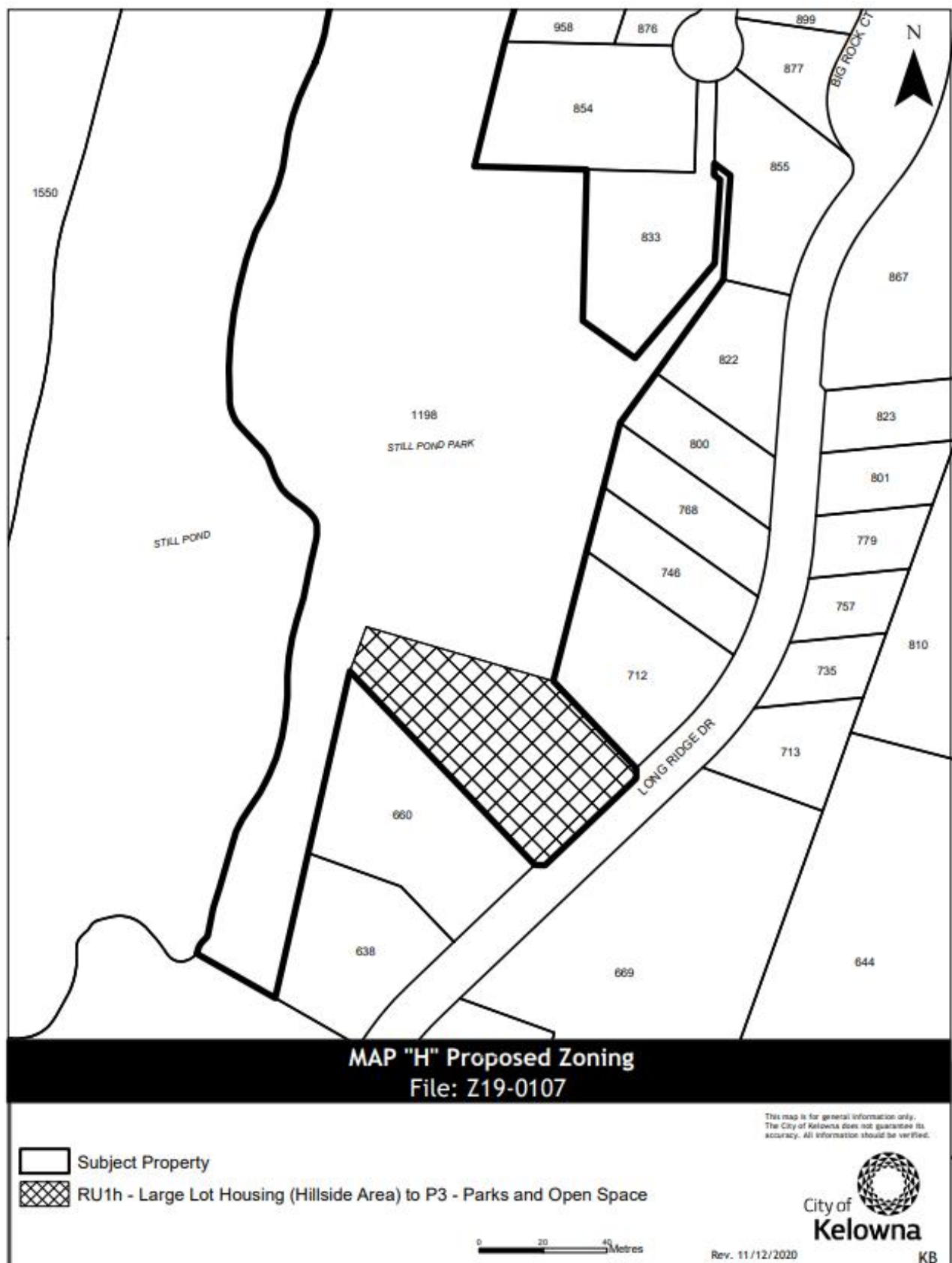
This map is for general information only.
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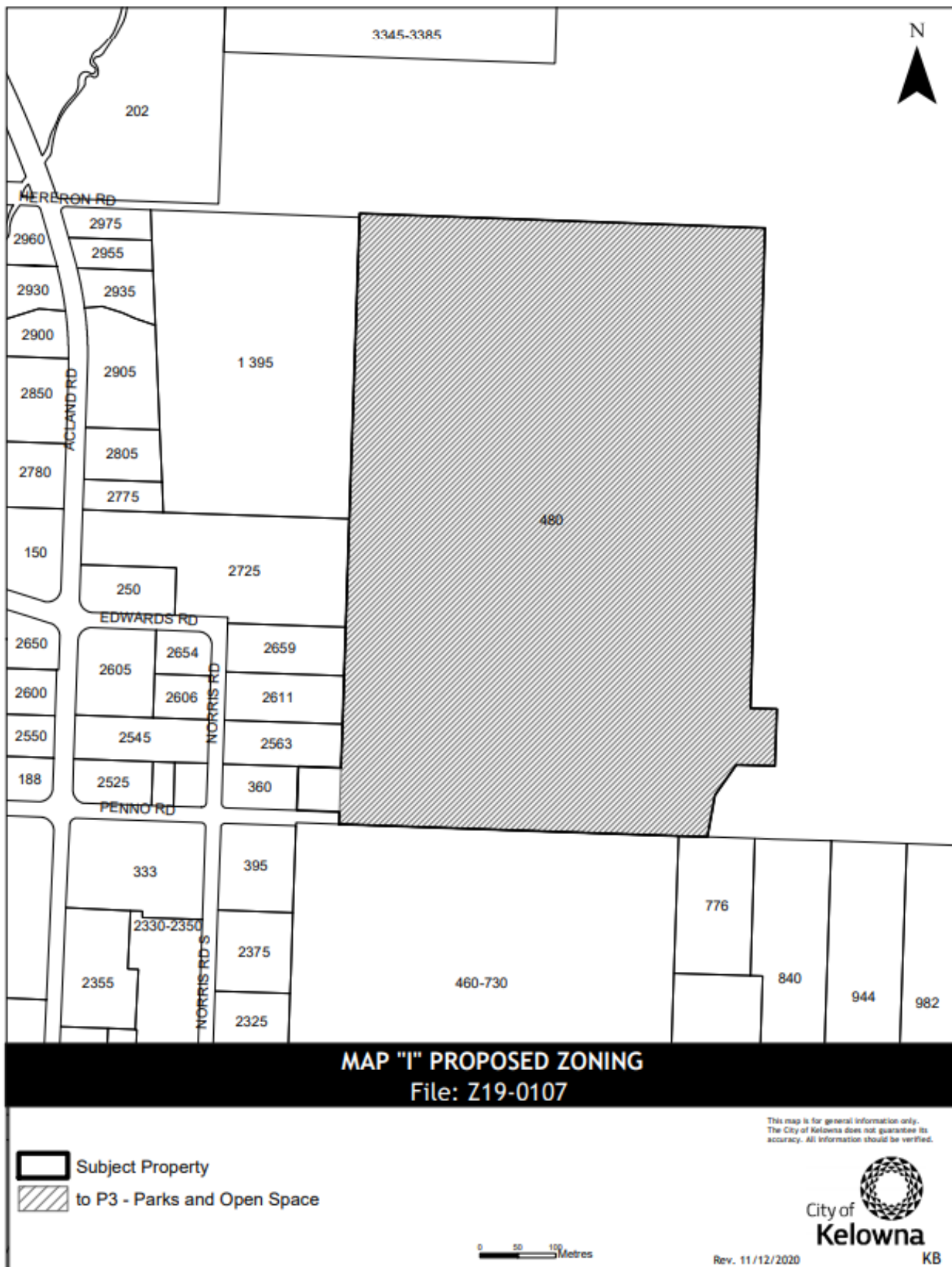
Rev. 9/17/2020

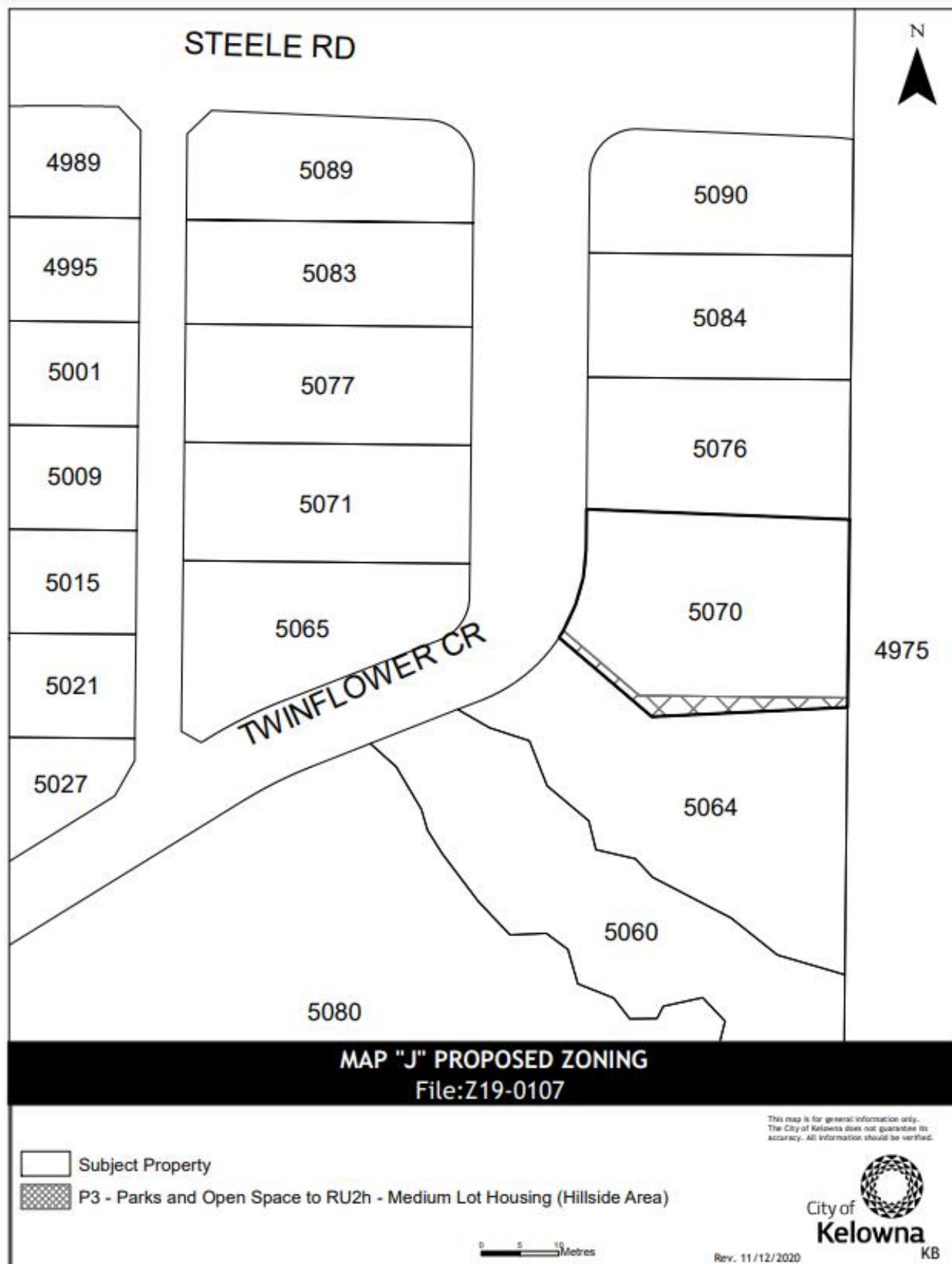


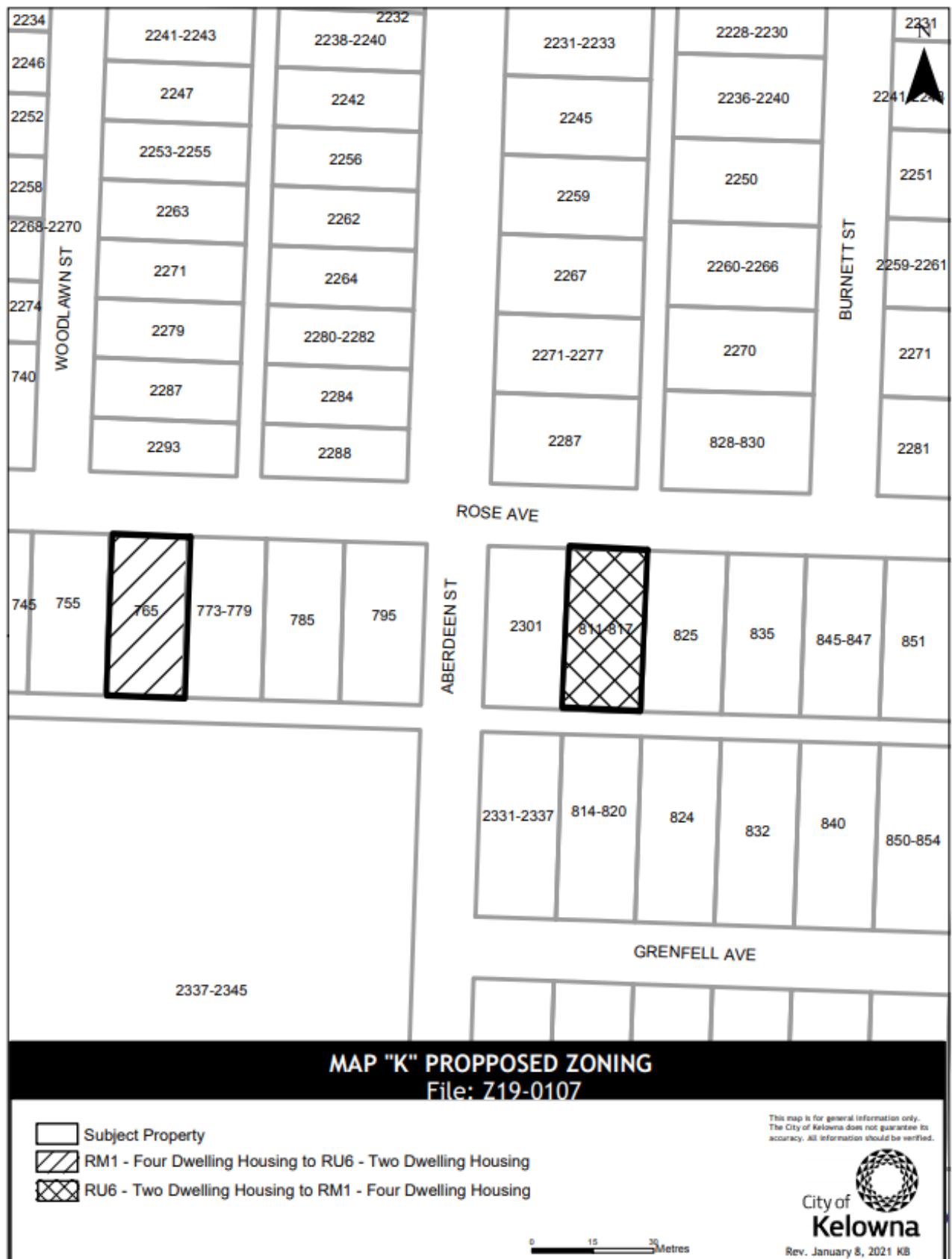












REPORT TO COUNCIL



Date: February 8th 2021

To: Council

From: City Manager

Department: Development Planning

Application: OCP20-0018/Z20-0086

Owner: Glenwest Properties Ltd., Inc.No.
Co889227

Address: 2025 Begbie Road, (W OF) Union
Road, 1650 Glenmore Road North,
1630 Glenmore Road North

Applicant: Cameron Dodd – Blenk
Development Corp.

Subject: OCP and Rezoning Application

Existing OCP Designation: S2RESH – Single / Two Unit Residential – Hillside
S2RES – Single / Two Unit Residential
PARK – Major Park / Open Space (Public)

Proposed OCP Designation: S2RESH – Single / Two Unit Residential – Hillside
MRC – Multiple Unit Residential – Cluster Housing
PARK – Major Park / Open Space (Public)

Existing Zone: RU1h – Large Lot Housing (Hillside Area)
RU2h – Medium Lot Housing (Hillside Area),
RU4 – Low Density Cluster Housing,
RM3 – Low Density Multiple Housing
P3 – Parks and Open Space

Proposed Zone: RU1h – Large Lot Housing (Hillside Area)
RU2h – Medium Lot Housing (Hillside Area),
RU4 – Low Density Cluster Housing,
P3 – Parks and Open Space

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP20-0018 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of:

1. Lot A, Sections 4,5,8 AND 9 Township 23, ODYD, KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912, KAP85278, KAP86750, EPP24895 AND EPP93548, located at 2025 Begbie Road, Kelowna BC;
2. The North East 1/4 of Section 8, Township 23, ODYD, Except Plan KAP69724, located at (W OF) Union Road, Kelowna BC;
3. The South East 1/4 Section 17, Township 23, ODYD, located at 1650 Glenmore Road North, Kelowna BC;
4. The South West 1/4 Section 16 Township 23, ODYD, located at 1630 Glenmore Road North, Kelowna BC.

From the S2RESH – Single / Two Unit Residential – Hillside, S2RES – Single / Two Unit Residential and PARK – Major Park / Open Space (Public) designations to the S2RESH – Single / Two Unit Residential - Hillside, MRC – Multiple Unit Residential – Cluster Housing and PARK – Major Park / Open Space (Public) designations as shown on Map “A” attached to the Report from the Development Planning Department dated February 8th 2021, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Hearing process to be appropriate consultation for the *Purpose* of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated February 8th 2021;

AND THAT Rezoning Application No. Z20-0086 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of:

1. Lot A, Sections 4,5,8 AND 9 Township 23, ODYD, KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912, KAP85278, KAP86750, EPP24895 AND EPP93548, located at 2025 Begbie Road, Kelowna BC;
2. The North East 1/4 of Section 8, Township 23, ODYD, Except Plan KAP69724, located at (W OF) Union Road, Kelowna BC;
3. The South East 1/4 Section 17, Township 23, ODYD, located at 1650 Glenmore Road North, Kelowna BC;
4. The South West 1/4 Section 16 Township 23, ODYD, located at 1630 Glenmore Road North, Kelowna BC.

From the RU1h – Large Lot Housing (Hillside Area), RU2h – Medium Lot Housing (Hillside Area), RU4 – Low Density Cluster Housing, RM3 – Low Density Multiple Housing, P3 – Parks and Open Space zones to the RU1h – Large Lot Housing (Hillside Area), RU2h – Medium Lot Housing (Hillside Area), RU4 – Low Density Cluster Housing, P3 – Parks and Open Space zones as shown on Map “B” attached to the Report from the Development Planning Department dated February 8th 2021, be considered by Council;

AND FURTHER THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To amend the Official Community Plan Future Land Use designations for portions of the subject properties and rezone portions of the subject properties to facilitate the development of the next development phase of the Wilden Neighbourhood.

3.0 Development Planning

The Development Planning Department is recommending support for the proposed Official Community Plan (OCP) and Zoning Bylaw Amendment applications required for the next development phase of the Wilden Neighbourhood. The OCP designations and zone boundaries are being updated to match the proposed subdivision property lines. The proposed zoning will remain a mix of RU1h Large Lot Housing, RU2h Medium Lot Housing, RU4h Low Density Cluster Housing, RM3 Low Density Multiple Housing, and P3 Parks & Open Space.

Adjustments to the existing OCP and Zone boundaries are being proposed to better integrate the development with site topography, lessen impact to environmentally sensitive areas, avoid geotechnically hazardous slopes, and provide additional park and natural open space. The proposed amendments are consistent with the Official Community Plan and Area Structure Plan for Wilden.

4.0 Proposal

4.1 Background

The subject site is a 33.5 ha. area located north of the intersection of Union Road and Begbie Road, and north of the existing dead-end of Hidden Hills Drive. The subject area is expected to accommodate approximately 107 single-family lots, two multi-family sites, a neighbourhood park and natural open space. This area is contemplated for development within the Wilden (Glenmore Highlands) Area Structure Plan. The property is currently designated for a mix of residential uses as well as park and open space in the Official Community Plan and the property is currently zoned a mix of single family and multi-family zones. The property includes two ponds that are deemed to be highly environmentally sensitive which are designated for park uses and are intended to be preserved and protected as part of this proposal.

4.2 Project Description

The proposal is to adjust and refine the areas of the property that currently designated for residential development based on the detailed subdivision and development plan. If approved the amendments would facilitate the future subdivision and development of 107 residential lots. The most significant changes are:

1. The OCP designations and zone boundaries are being updated to match and follow the proposed subdivision property lines.
2. Areas of the subject site that are currently designated S2RES - Single / Two Unit Residential in the OCP are being redesigned S2RESH - Single / Two Unit Residential Hillside to reflect the sloping topography of the site.
3. The proposed residential zone changes from RU1h – Large Lot Zone to the RU2h – Medium Lot zone would allow for slightly smaller single-family lots than the current zoning allows.
4. An additional 2 hectares (5 acres) of land that is currently zoned for residential is proposed to become zoned for park and open space (P3 – Parks and Open Space Zone).

4.3 Site Context

The subject area is directly adjacent to the existing Wilden neighbourhood to the South and vacant lands intended to be developed in future phases of the Wilden neighbourhood to the North, East, and West of the site. The proposed development area is approximately 250m away from the edge of the ALR/Agricultural lands along Glenmore Road North.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture	Vacant
East	A1- Agriculture	ALR/Agriculture
South	Ru1h – Residential Large Lot (Hillside)	Single Detached Housing
West	P3 – Parks an Open Space/A1 – Agriculture	Vacant

Subject Property Map:



Figure 1. Subject Map



Figure 2. Subdivision Concept

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Policy 5.2.3 Complete Suburbs. Support a mix of uses within Kelowna's suburbs (see Map 5.1 – Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 – Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context. Building heights in excess of four storeys will not be supported within suburban areas, unless provided for by zoning existing prior to adoption of OCP Bylaw 10500.

Policy 5.2.5 Integrated Land Use. Integrate land use approaches wherever possible to improve opportunities for biodiversity, ecosystem connectivity, recreation, agriculture, and local food production, while reducing conflicts.

Policy 5.14.2 Dedication of Linear Parks. At subdivision and rezoning for all development types secure a 10-metre wide linear corridor for public access as included in Table 5.1 Linear Park – Public Access and/or are shown 5.9 – Linear Corridors/Paths. The 10-metre wide corridor may be in addition to, and outside, any riparian management area requirements imposed through the Environmental Development Permit (See Chapter 12) requirements of the OCP. Linear trail corridors can have the following tenure which will be determined by staff at the time of subdivision or rezoning:

- Titled property in the name of the city as a park, protected area, or
- Road reserve right of way; or
- Statutory right of way.

Policy 5.15.3 Environmentally Sensitive Area Linkages. Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors.

Policy 5.15.13 Access Through Steep Slopes. Discourage roads (public or private) through +30% slope areas intended to access lands beyond, except in cases where it can be demonstrated the road will be sensitively integrated (visual and aesthetic impacts minimized) with the natural environment and will present no hazards to persons or property, environmental threats or unreasonable servicing or maintenance challenges.

Policy 5.22.1 Cluster Housing. Require new residential development to be in the form of cluster housing on/or near environmental sensitive areas and areas of steeper slopes to lessen site disturbance and environmental impact on those areas identified on the Future Land Use Map 4.1 as single-two-unit residential hillside. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features identified through the Development Permit process that otherwise might be developed and to maximize open space in order to:

- a) Protect environmentally sensitive areas of a development site and preserve them on permanent basis utilizing the most appropriate tools available;
- b) Facilitate creative and flexible site design that is sensitive to the land's natural features and adaptive to the natural topography;
- c) Decrease or minimize non-point source (i.e. asphalt roofs, driveways and parking) pollution impacts by reducing the amount of impervious surface in site development;
- d) Promote overall cost savings on infrastructure installation and maintenance; and
- e) Provide opportunities for social interaction, walking and hiking in open space areas.

Policy 5.36.3 Design for People and Nature. Structure new neighbourhoods around parks, pedestrian and bike routes, open spaces, and environmental areas, rather than around roadway and cars.

Chapter 7: Infrastructure

Policy 7.6.2 Complete Streets. Ensure new roads are built as complete streets that incorporate sidewalks and on street bike lanes on arterial and major collector roads and off-road bike paths as per the Active Transportation Plan and provides for efficient transit service, as well as sufficient space to include landscaping.

Policy 7.8.3 New Residential Developments. Ensure that new residential developments and subdivisions have active transportation links to the nearest arterial or major collector roads at developer cost.

Policy 7.12.2 Natural Area Parks and Open Spaces. Provide a city-wide network of natural area parks which meet the following criteria:

- Contains representative Okanagan ecosystems;
- Contains areas of outstanding natural beauty (including areas with high visual sensitivity and high visual vulnerability, such as rocky outcrops, ridge lines, hilltops, slit slopes, canyons, and water edges);
- The land area is contiguous and forms part of a larger open space network;
- Contains conservation areas;
- Protects viewshed corridors; and
- Where appropriate, trails which maximize public safety while minimizing human impact on the most sensitive and vulnerable areas.

6.0 Technical Comments

6.1 Development Engineering Department

6.1.1 See Attached Memo

7.0 Application Chronology

Date of Application Received: July 31st 2020
Date Public Consultation Completed: January 4th 2021

Report prepared by: Alex Kondor, Planner Specialist

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Map A – OCP Amendment Map

Attachment B: Map B – Zoning Amendment Map



CITY OF KELOWNA

MEMORANDUM

Date: January 4, 2021

File No.: Z20-0086 R1

To: Community Planning (AK)

From: Development Engineering Manager (JK)

Subject: Rezoning application to rezone the subject site to a mix of P3 Parks and Open Space, Ru1h Large Lot Housing (Hillside Area) and Ru2h Medium Lot Housing (Hillside Area) to facilitate a future residential subdivision with approximately 107 lots

LOCATION:	1630 Glenmore Rd N, 2025 Begbie Rd	ZONE	Residential Hillside
APPLICANT:	Blenk Development Corporation		
LEGAL:	Lot A PL 69724 T23 S16 SW1/4		

WORKS AND SERVICES REQUIREMENTS

The City's Works & Utilities Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Approval of a subdivision plan. The Development Engineering Technician for this project is Ryan O'Sullivan

The following Works & Services are required for this Rezoning application to rezone the subject site to a mix of P3 Parks and Open Space, Ru1h Large Lot Housing (Hillside Area) and Ru2h Medium Lot Housing (Hillside Area) to facilitate a future residential subdivision with approximately 107 lots

.1) General

- a) This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.
- b)
- c) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.

- d) The Glenmore Highlands Phase One Concept Report (November 2001 Final Edition) prepared by Ekistics Town Planning Inc. outlines the servicing strategy proposed for this phase of development. Additional comments on the servicing strategies are noted below.

.2) Geotechnical Report

- a) Provide a comprehensive geotechnical report and hydro-geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- ii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- iii) Recommendations for items that should be included in a Restrictive Covenant.
- iv) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- v) Any items required in other sections of this document.
- vi) Recommendations for erosion and sedimentation controls for water and wind.

- vii) Recommendations for roof drains and perimeter drains.
- viii) Recommendations for construction of detention or infiltration ponds if applicable.

.3) Water

- a) The property is to be serviced by City of Kelowna
- b) Provide an adequately sized domestic water and fire protection system complete with individual lot connections. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this subdivision to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits. Note: Private pumps are not acceptable for addressing marginal pressure.
- c) Confirmation is required from City of Kelowna that the water system components proposed satisfy the Bylaw and that security is in place for any offsite Works and that all associated fees are paid.
- d) Design drawings must be reviewed by City of Kelowna prior to the City issuing the drawings for construction. Confirmation of their review must be provided to the City.

.4) Sanitary Sewer

- a) Provide an adequately sized sanitary sewer system complete with individual lot connections and inspection chamber (IC) complete with brooks box must be installed on the service at the owner's cost.
- b) Confirmation is required from City of Kelowna that the sanitary system components proposed satisfy the Bylaw and that security is in place for any offsite Works and that all associated fees are paid.
- c) Design drawings must be reviewed by City of Kelowna prior to the City issuing the drawings for construction.

.5) Drainage

- a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.

- b) Provide the following drawings:
 - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii) A detailed Stormwater Management Plan for this subdivision; and water treatment before entering any storm water pond or wet land
 - iii) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- d) Any Stormwater discharged to Stormwater ponds or wet lands must be approved by City of Kelowna, Suburban and Rural Planning Department.

.6) Roads

- a) Road standards are based on Hillside standards and in accordance with the Rezoning report.
- b) HiddenHills Drive please use Hillside standards Section SS-H12,13.
- c) Road K1 – K6 please use H12,H13.
- d) Union Road: According to the Glenmore Highlands Phase One Rezoning report Union road is to be constructed to SS-H2 modified and continued on with Village Centre to Hidden Hill Dr. with 1.5m bike lanes and sidewalk.
- e) Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense.
- f) Provide a Street Sign, Markings and Traffic Control Devices Drawing.
- g) Grade the fronting road boulevards in accordance with the standard drawing and provide a minimum of 50 mm of topsoil. Major cut/fill slopes must start at the property lines.
- h) Verify that physical driveway access will satisfy City requirements for all lots. For steeper lots (15% and greater), show driveways on the lot grading plan with grades or profiles.
- i) Please follow By-Law 7900 8.3.8 Hillside Standards, Cul-de-Sac Streets Hillside Emergency Accesses and Hillside Private Lanes
- j) MoT Section 440H Solid Rock Cut Section please use detail for any and all rock cuts on Road Right of Way or pathway sections.

.7) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground.
- b) Street lights must be installed on all roads.

- c) Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application.
- d) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

.8) Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

.9) Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

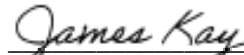
.10) Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Fortis BC, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

.11) Charges and Fees

- a) Development Cost Charges (DCC's) are payable at Subdivision or Building Permit.
- b) None of the Works & Services required are items included in the DCC calculations and therefore not eligible for DCC credits.
- c) Fees per the "Development Application Fees Bylaw" include:
 - i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument Fee: \$50.00 per newly created lot (HST exempt).
 - iii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iv) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



James Kay, P.Eng.
Development Engineering Manager
RO

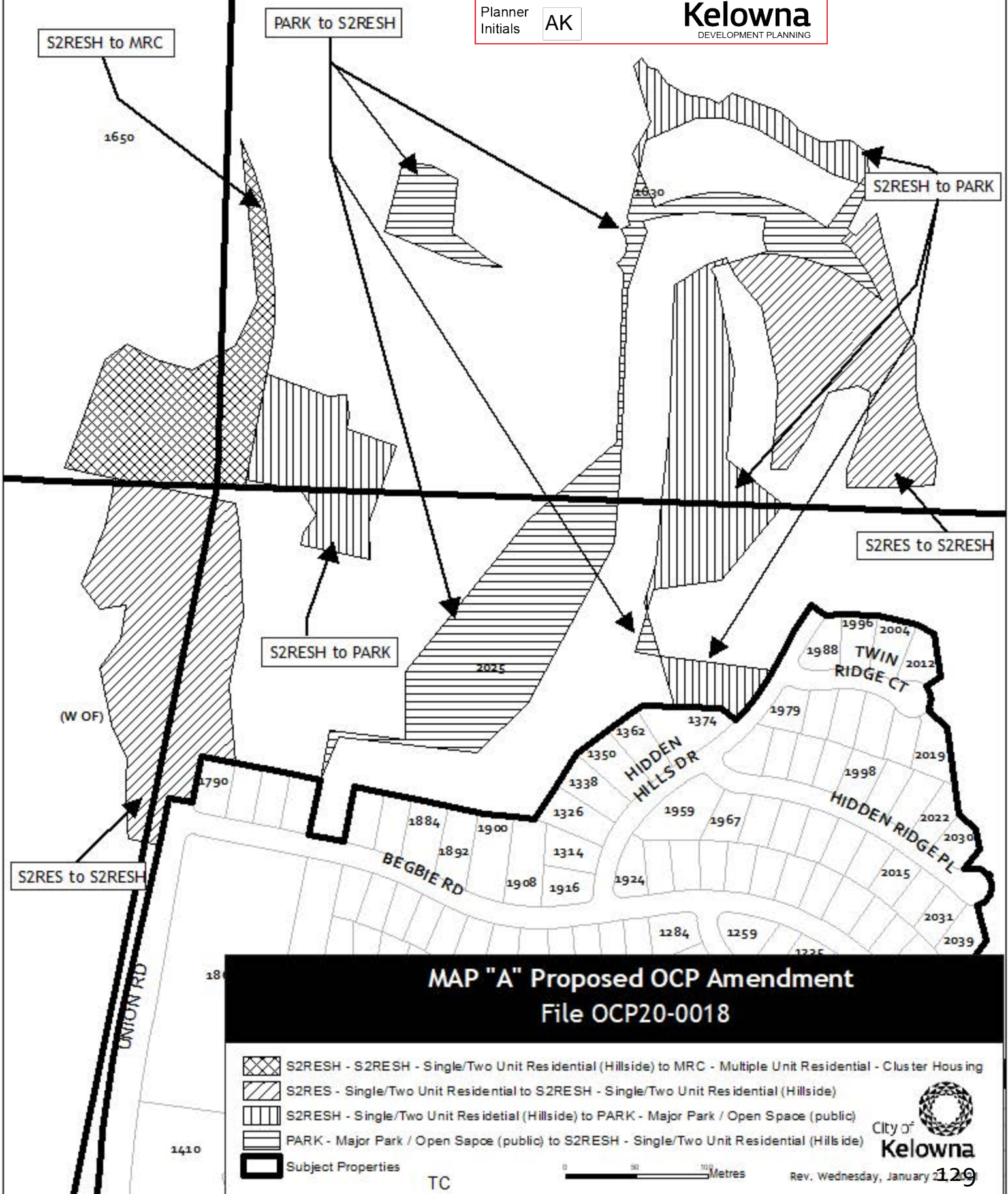
ATTACHMENT A

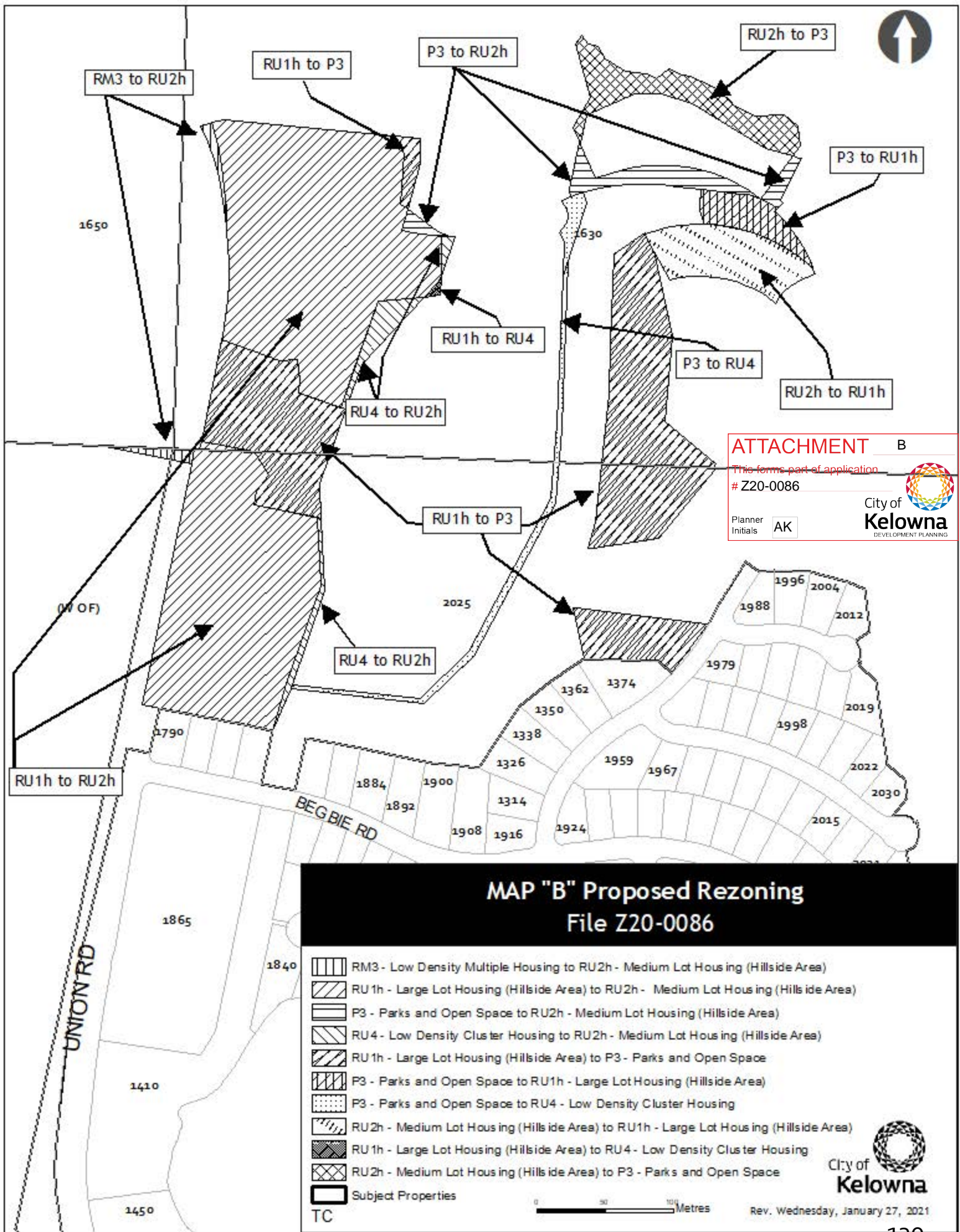
This forms part of application

OCP20-0018

Planner
Initials AK

City of
Kelowna
DEVELOPMENT PLANNING







OCP20-0018/Z20-0086

2025 Begbie Road, (W OF) Union Rd, 1650,
Glenmore Road, 1630 Glenmore Road

OCP Amendment and Rezoning Application



Proposal

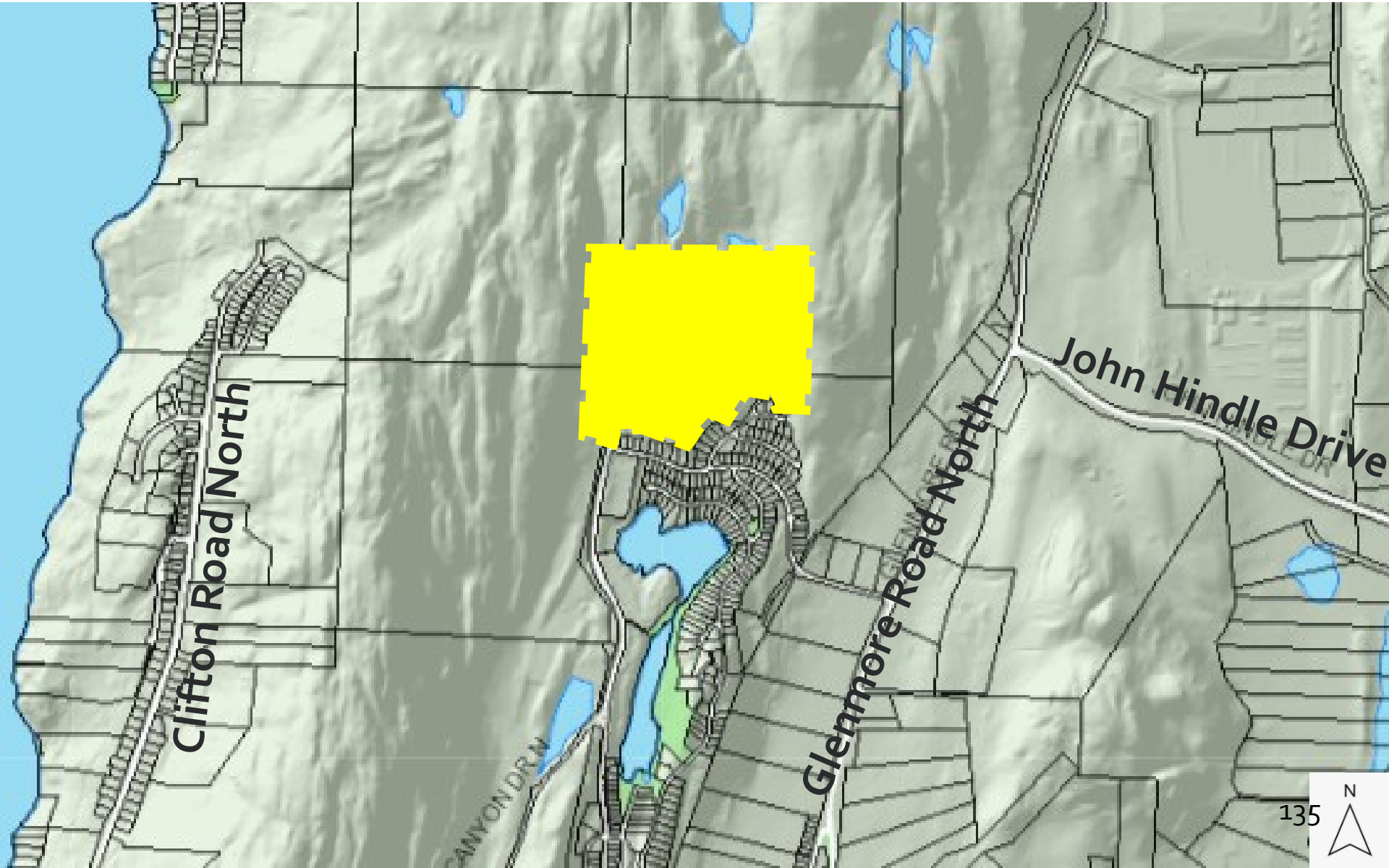
- ▶ To amend the OCP Future Land Use designations and Rezone portions of the subject properties to facilitate the development of the next development phase of the Wilden Neighbourhood.



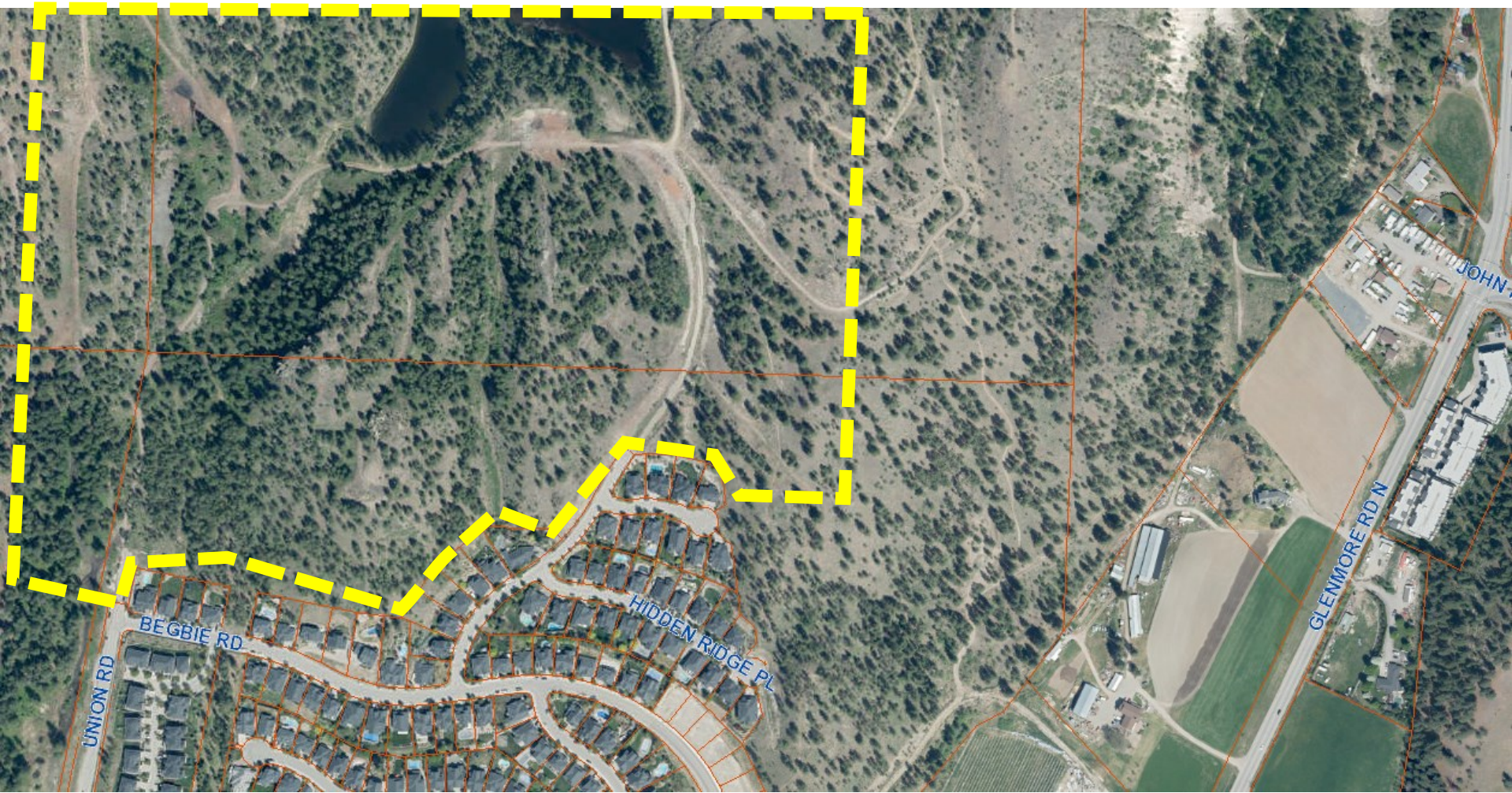
Development Process



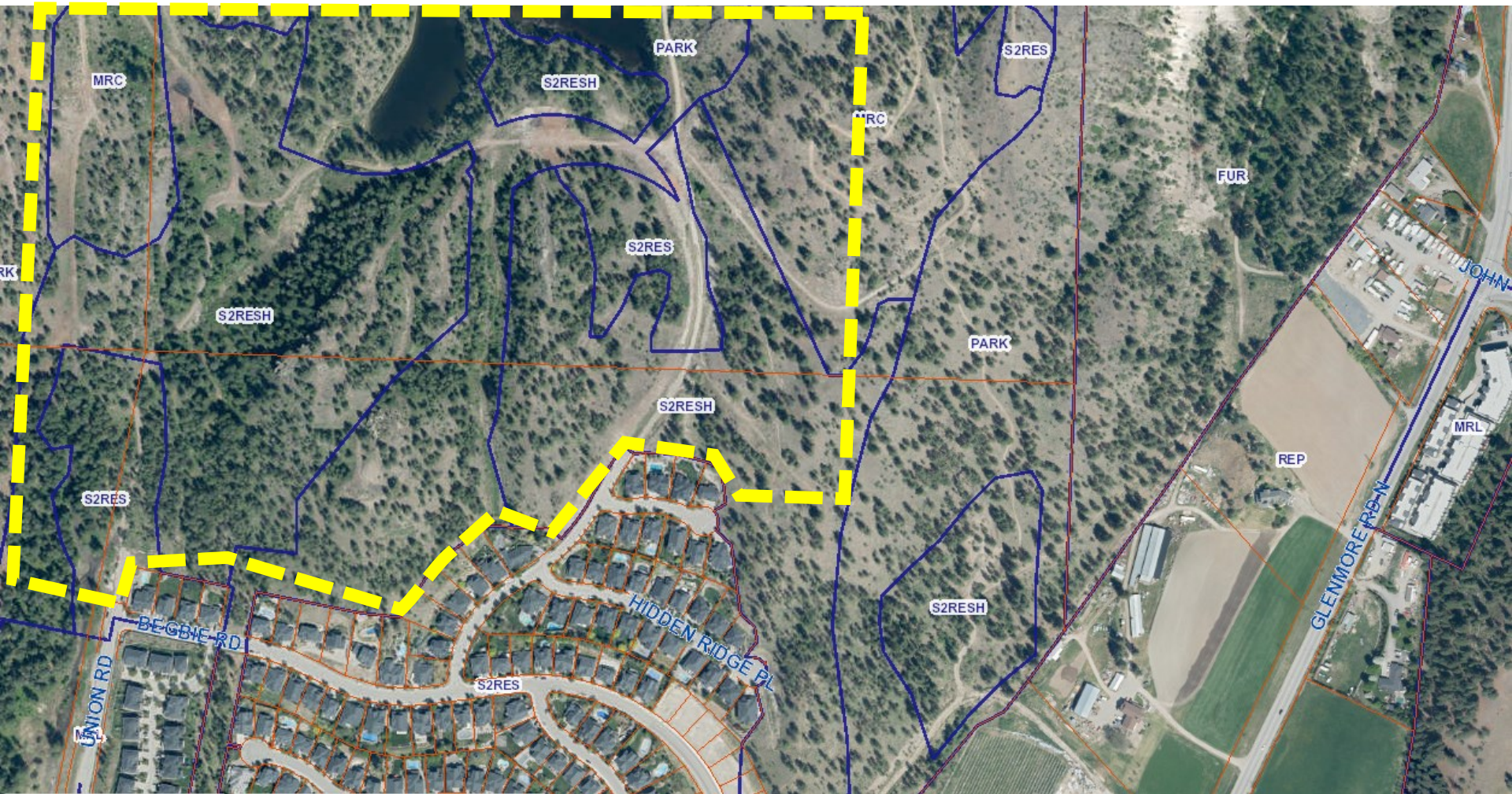
Context Map



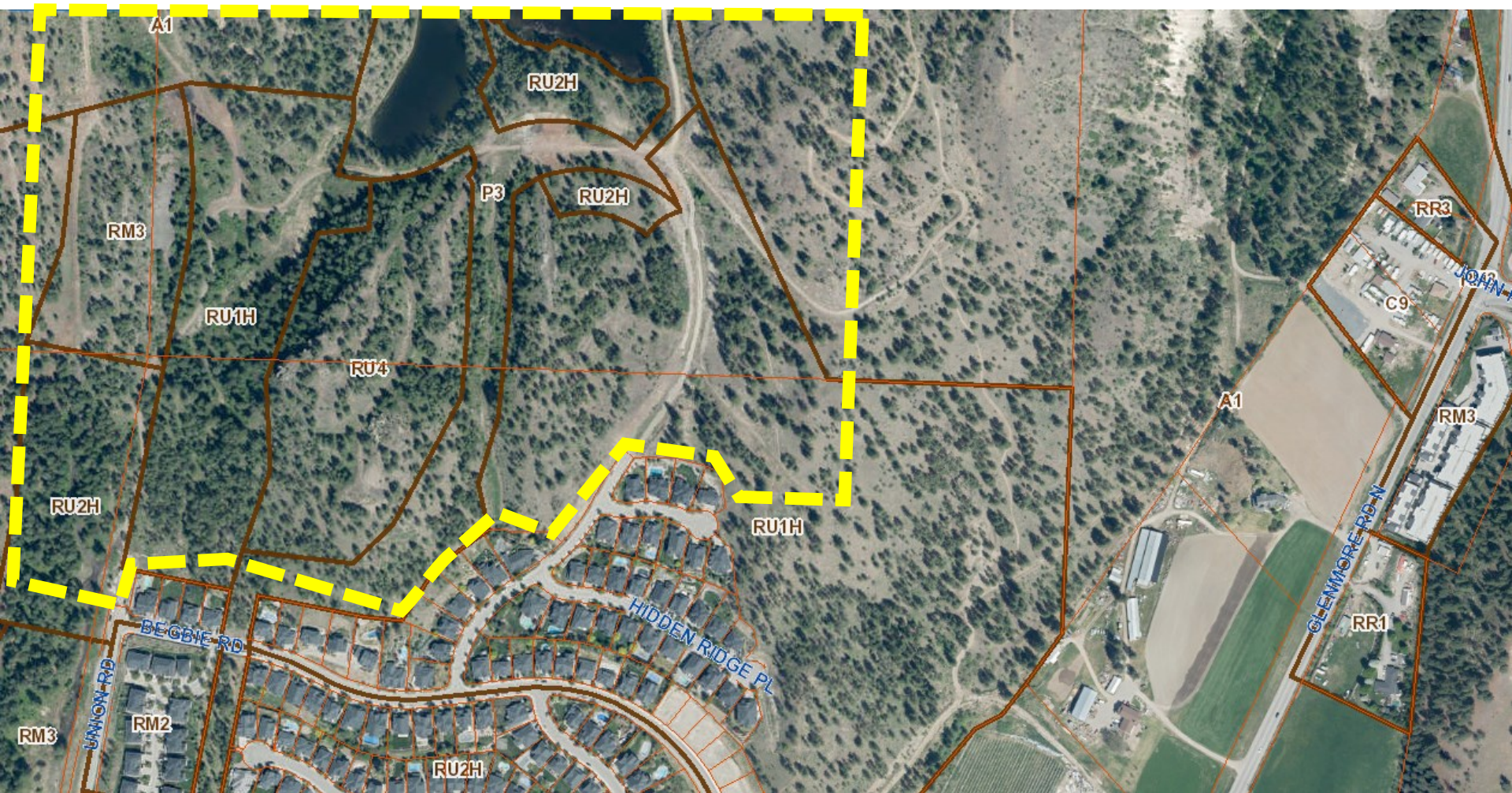
Subject Area



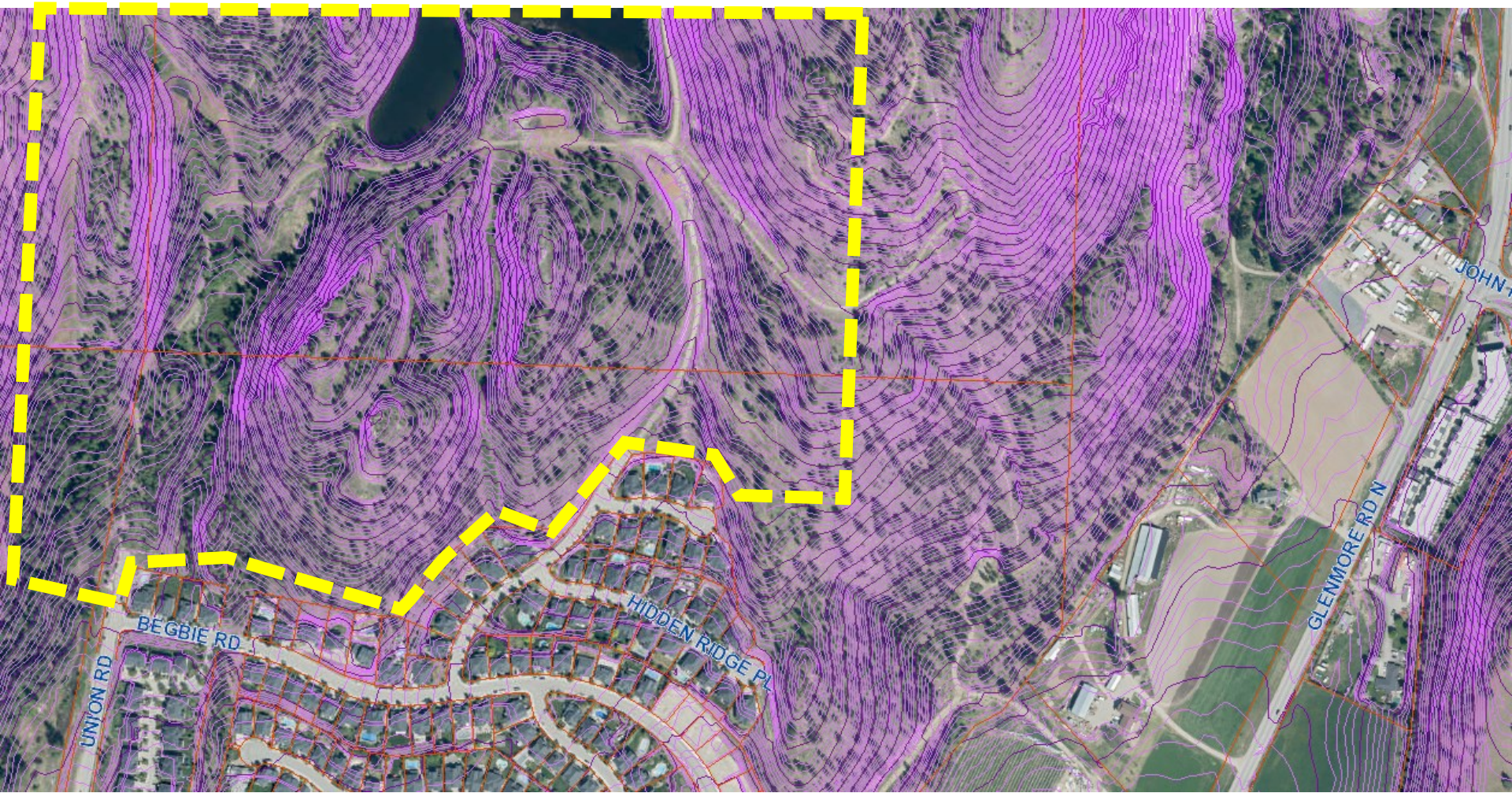
OCP Map



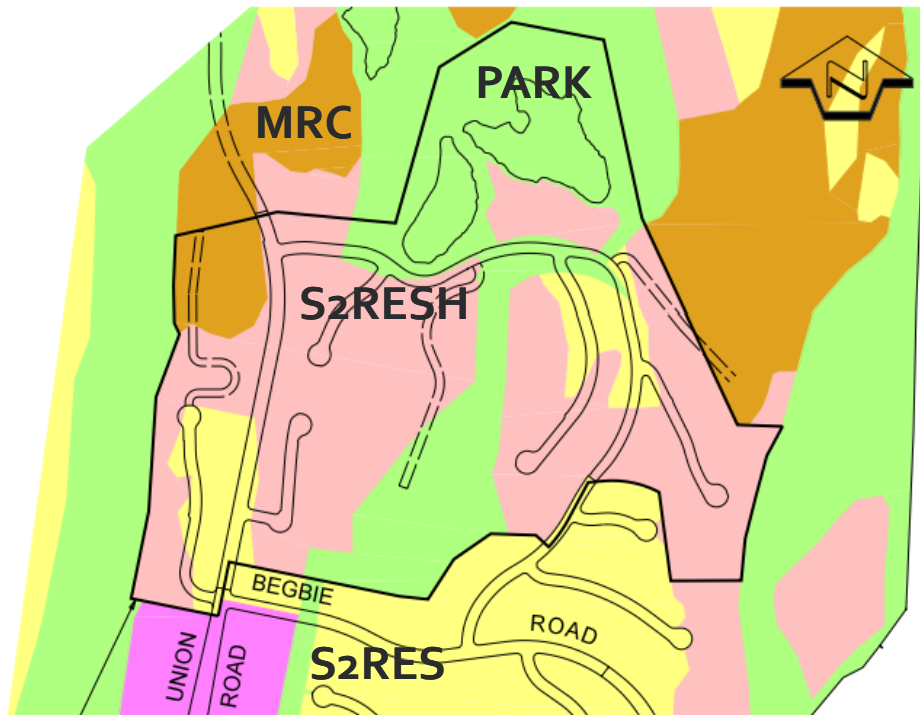
Zone Map



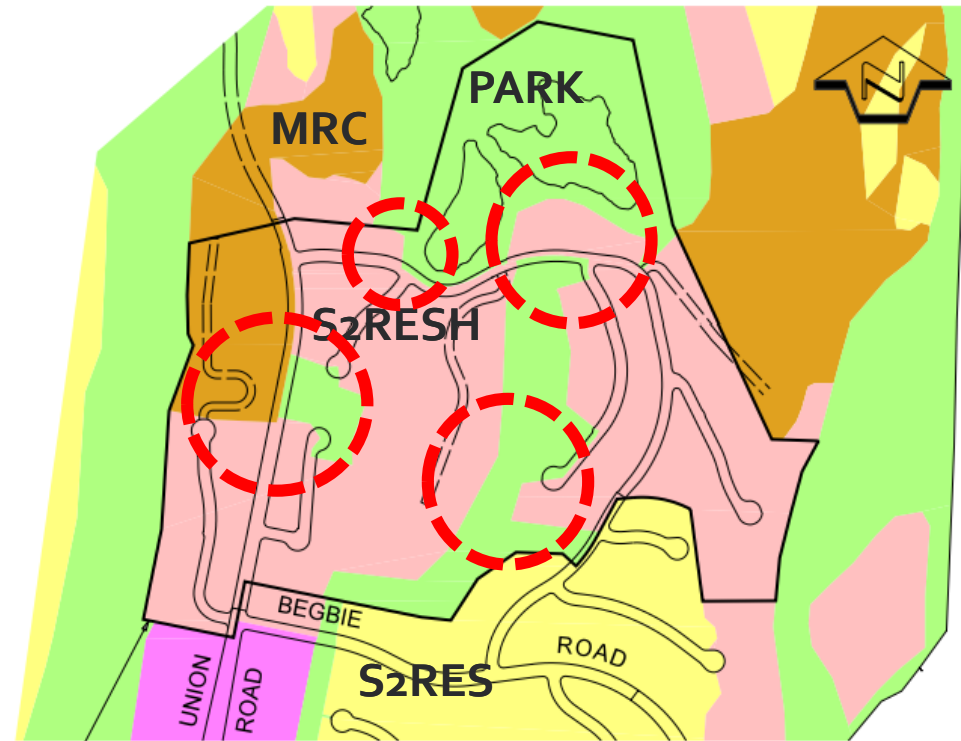
Topographic Map



Proposed OCP Changes



Existing



Proposed

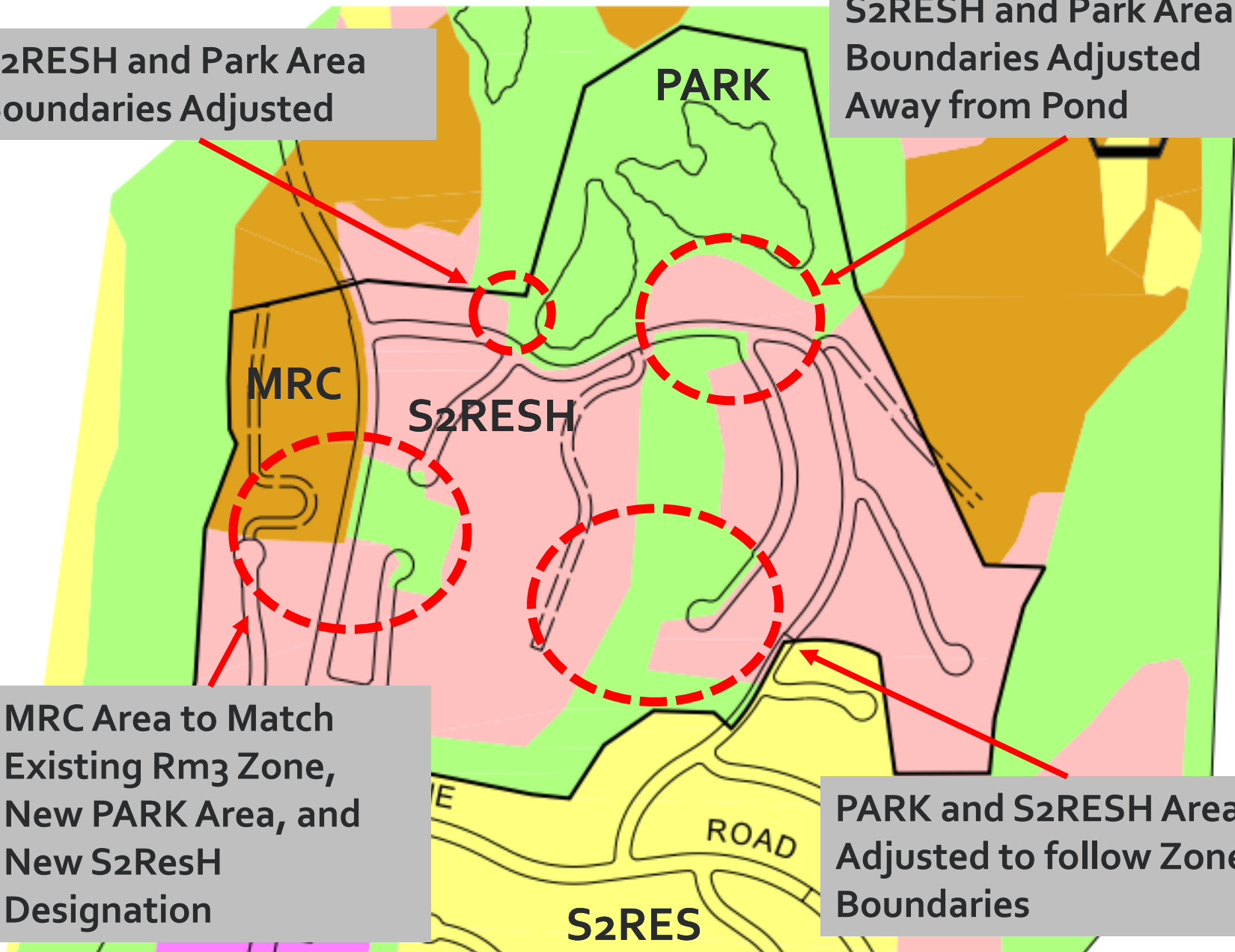
Proposed OCP Changes

S2RESH and Park Area
Boundaries Adjusted

S2RESH and Park Area
Boundaries Adjusted
Away from Pond

MRC Area to Match
Existing Rm3 Zone,
New PARK Area, and
New S2ResH
Designation

PARK and S2RESH Areas
Adjusted to follow Zone
Boundaries



Proposed Zone Changes

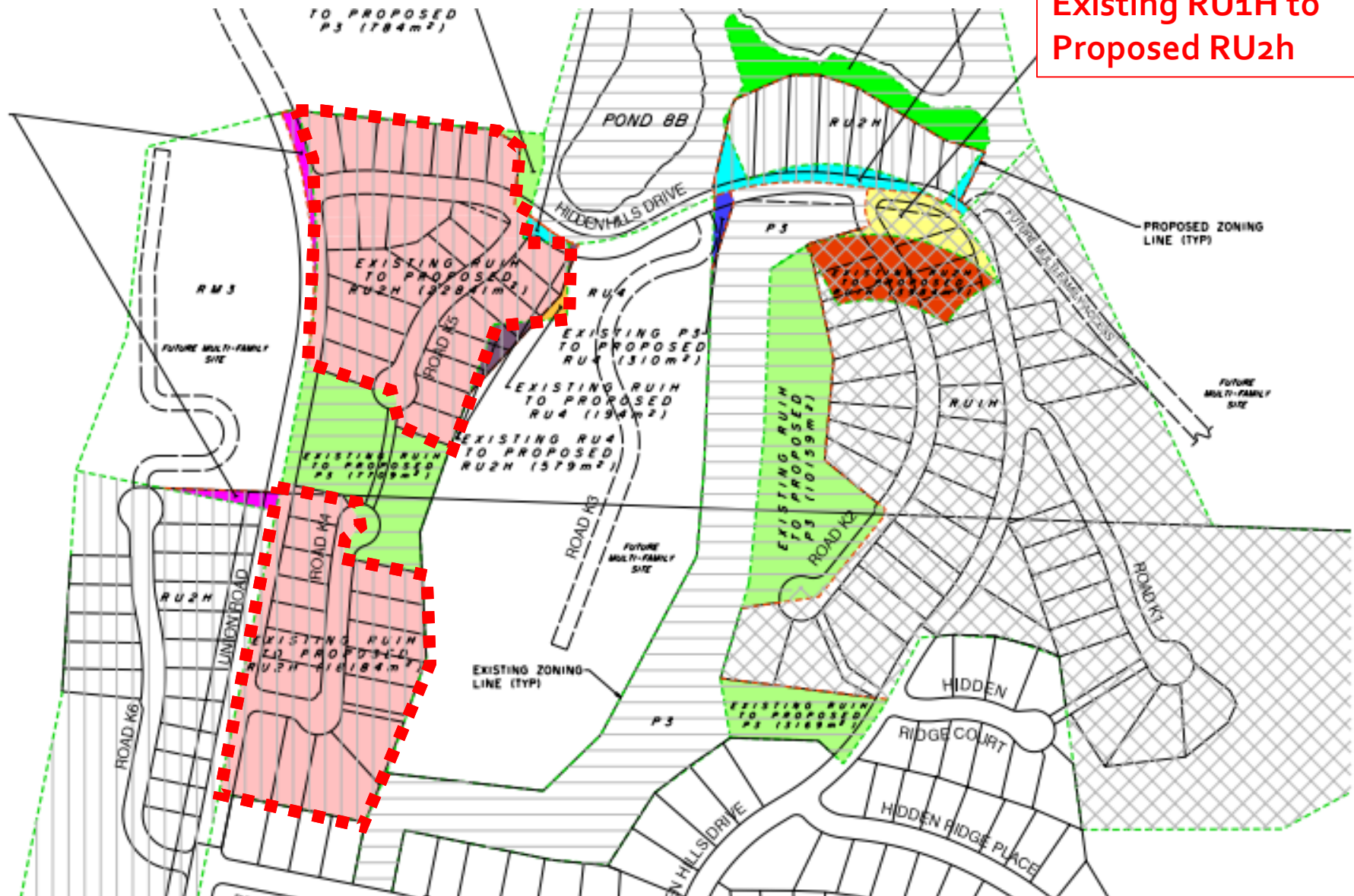


Existing RU1H and RU2H Zones to Proposed P₃ Zone

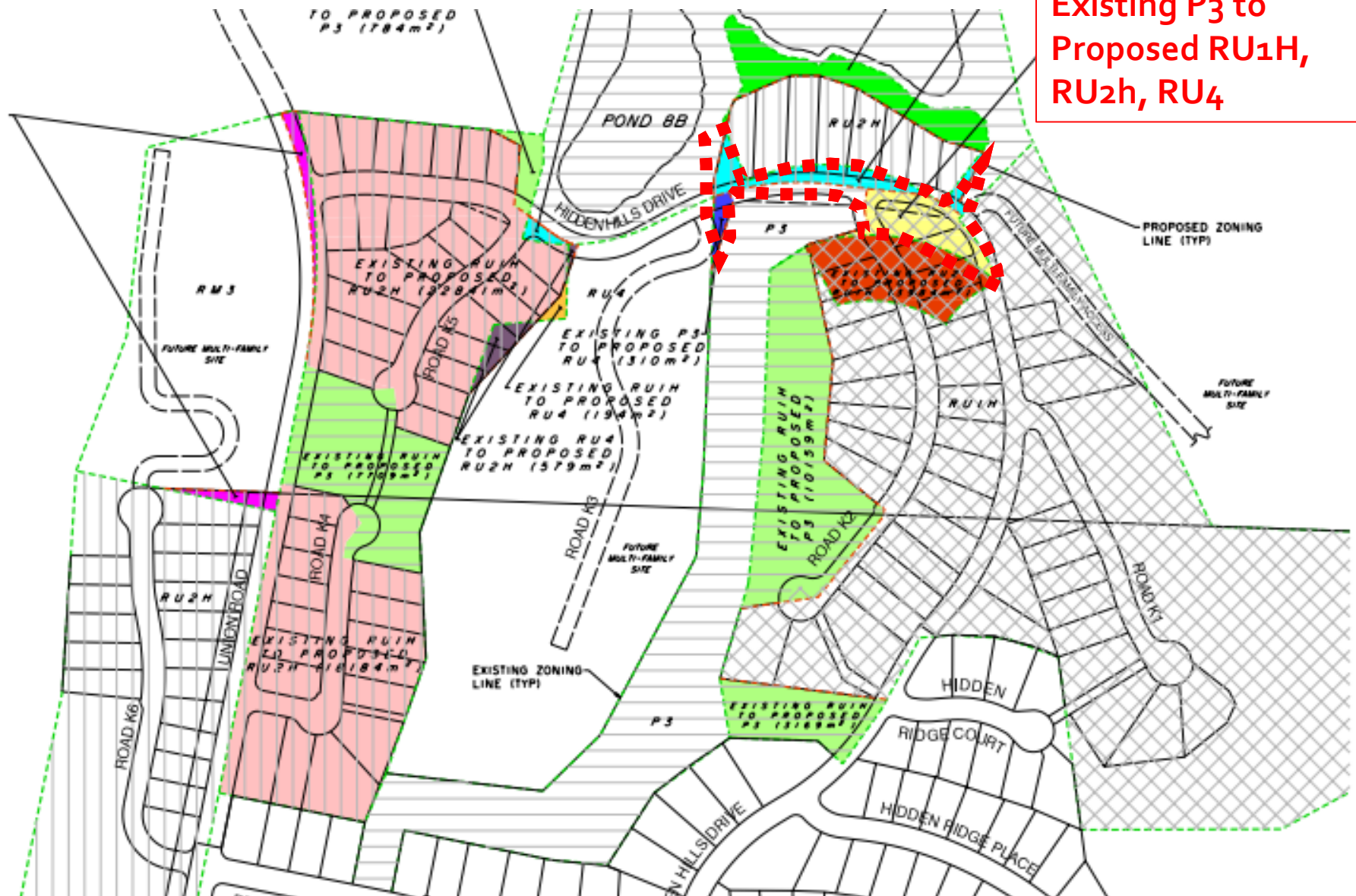


Proposed Zone Changes

Existing RU1H to
Proposed RU2h

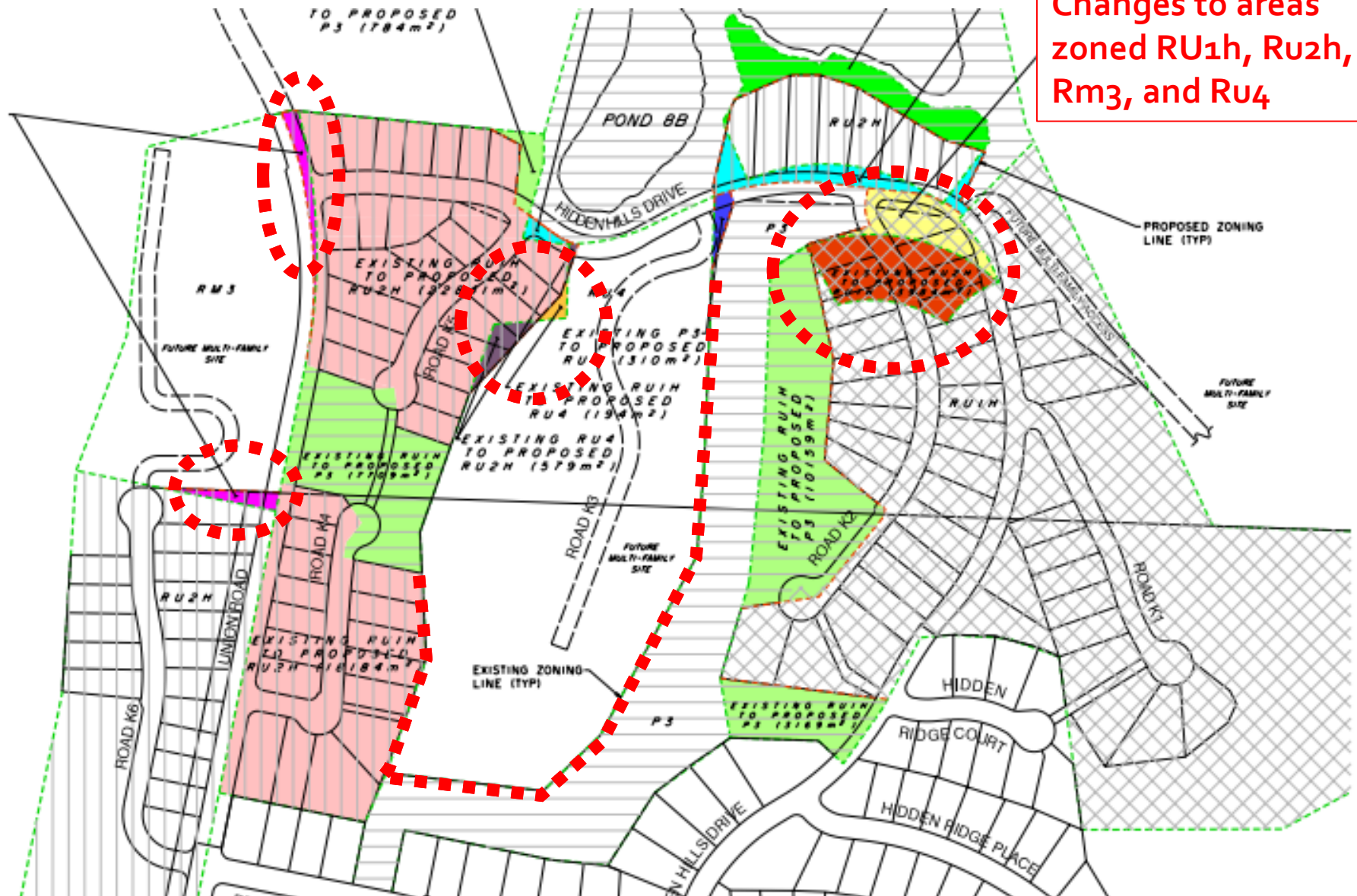


Proposed Zone Changes



Proposed Zone Changes

Changes to areas
zoned RU1h, Ru2h,
Rm3, and Ru4



Project summary

- 1) The existing OCP designations and zone boundaries are being updated to match and follow proposed subdivision property lines.
- 2) Areas of the subject site that are currently designated S2RES are being redesignated S2RESH (Hillside)
- 3) Zone changes from RU1h to RU2h would allow for slightly smaller single-family lots.
- 4) Two hectares (five acres) of land that is currently zoned for residential is proposed to become zoned P₃ -Park and Open space

Staff Recommendation

- ▶ Staff support the proposed amendments:
 - ▶ The proposal is consistent with the OCP and Area Structure Plan for the Wilden neighbourhood.
 - ▶ The proposed amendments are meant to better integrate future development with site topography, lessen impact to environmentally sensitive areas, avoid geotechnically hazardous slopes, and provide additional park and natural open space.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12163

Official Community Plan Amendment No. OCP20-0018 2025 Begbie Road, (W OF) Union Road, 1650 Glenmore Road North and 1630 Glenmore Road North

A bylaw to amend the "*Kelowna 2030* – Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of portion of:
 - a) Lot A, Sections 4,5,8 AND 9 Township 23, ODYD, KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912, KAP85278, KAP86750, EPP24895 and EPP93548, located at 2025 Begbie Road, Kelowna BC;
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2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 8th day of February, 2021.

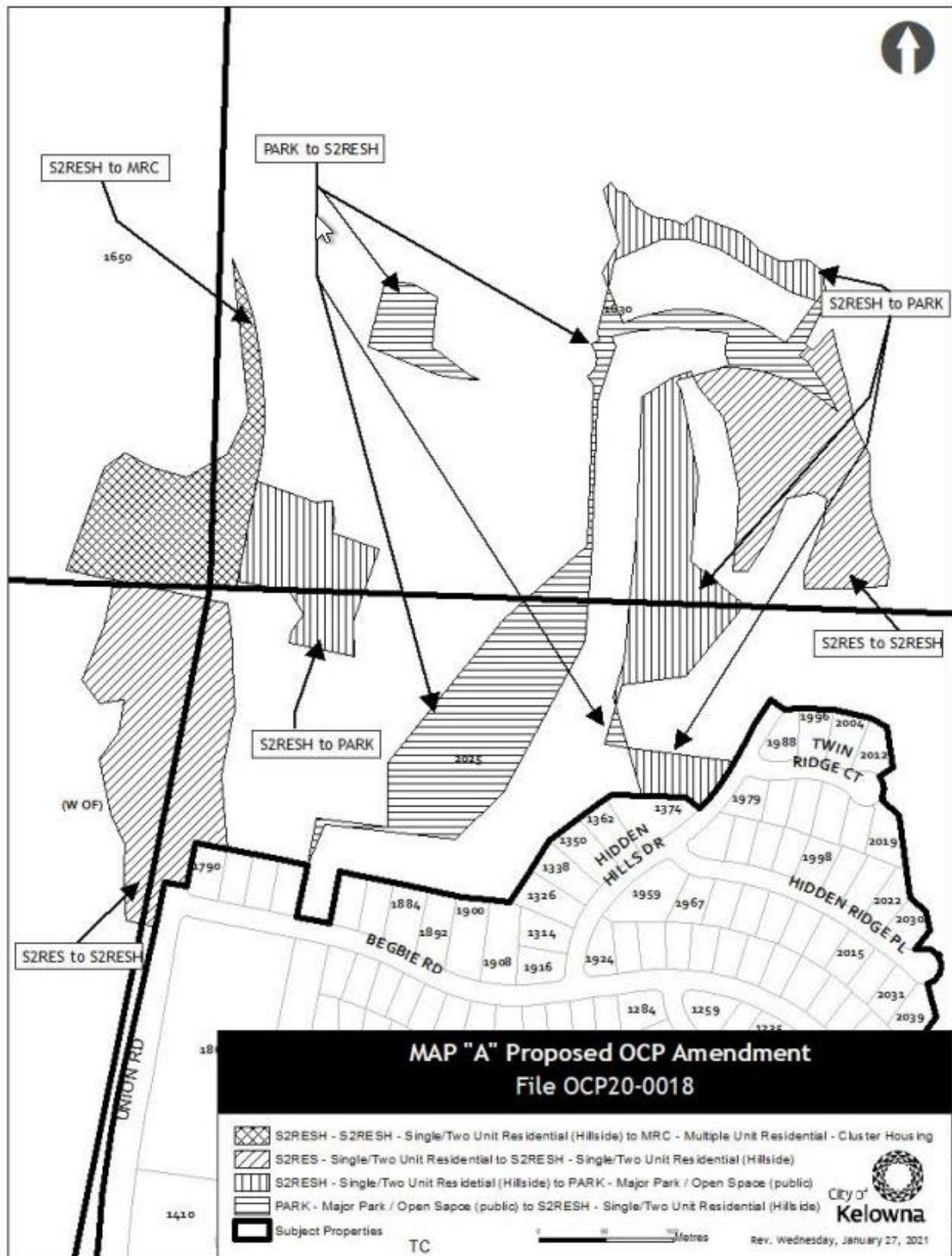
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA

BYLAW NO. 12164

Z20-0086

2025 Begbie Road, (W OF) Union Road, 1650 Glenmore Road North and 1630 Glenmore Road North

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of:
 - a) Lot A, Sections 4,5,8 AND 9 Township 23, ODYD, KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912, KAP85278, KAP86750, EPP24895 AND EPP93548, located at 2025 Begbie Road, Kelowna BC;
 - b) The North East 1/4 of Section 8, Township 23, ODYD, Except Plan KAP69724, located at (W OF) Union Road, Kelowna BC;
 - c) The South East 1/4 Section 17, Township 23, ODYD, located at 1650 Glenmore Road North, Kelowna BC;
 - d) The South West 1/4 Section 16 Township 23, ODYD, located at 1630 Glenmore Road North, Kelowna BC.

from the RU1h – Large Lot Housing (Hillside Area), RU2h – Medium Lot Housing (Hillside Area), RU4 – Low Density Cluster Housing, RM3 – Low Density Multiple Housing, P3 – Parks and Open Space zones to the RU1h – Large Lot Housing (Hillside Area), RU2h – Medium Lot Housing (Hillside Area), RU4 – Low Density Cluster Housing, P3 – Parks and Open Space zones as shown on Map "B" attached to and forming part of this bylaw.

2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 8th day of February, 2021.

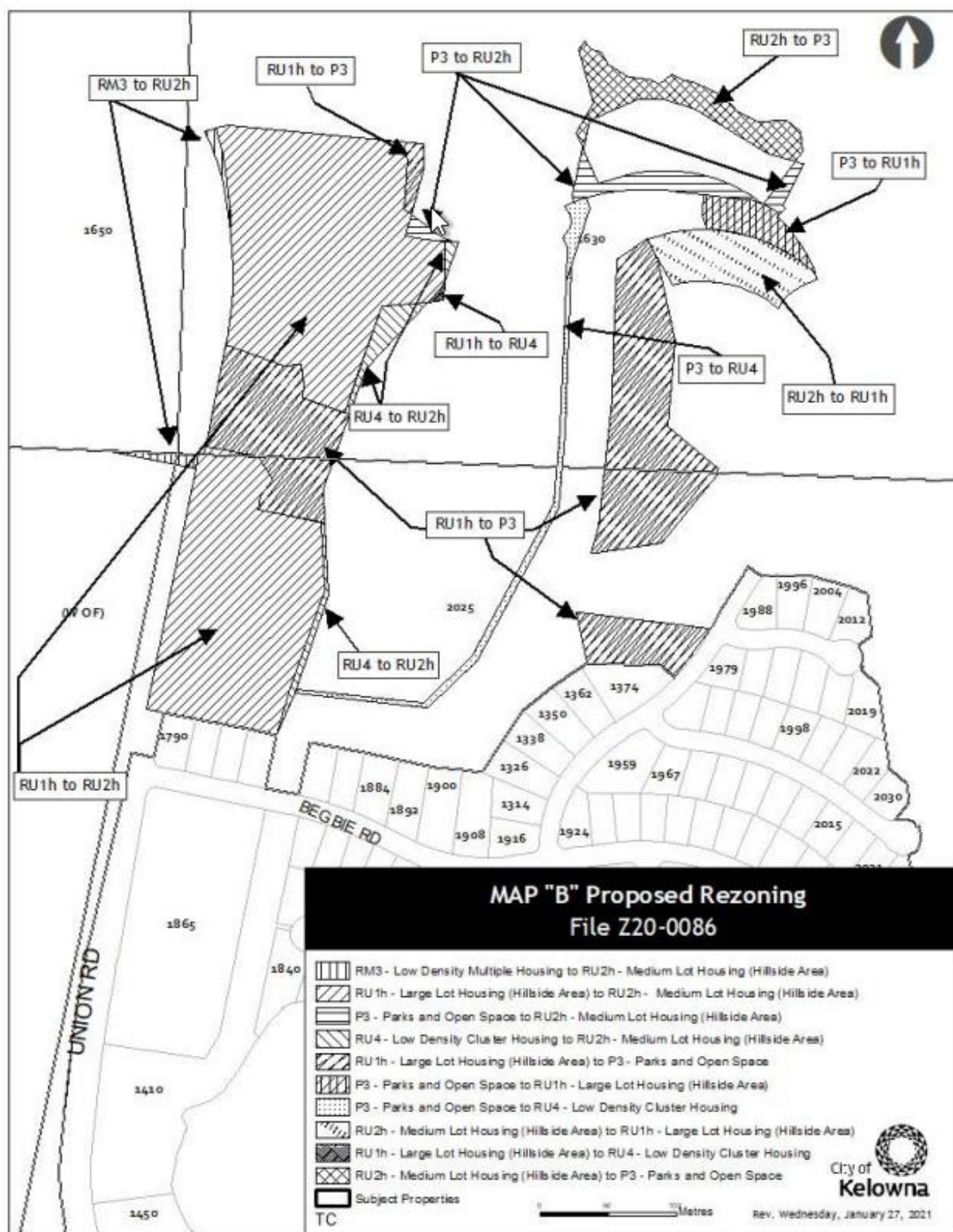
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk





City of Kelowna Public Hearing Minutes

Date: Tuesday, February 2, 2021
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Mohini Singh and Loyal Wooldridge

Members participating remotely Councillors Charlie Hodge and Luke Stack

Members Absent Councillor Brad Sieben

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Community Planning & Development Manager, Dean Strachan; Urban Planning Manager, Jocelyn Black; Long Range Policy and Planning Manager, James Moore*; Planner II, Arlene Janousek*

Staff participating remotely Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. **Due to COVID-19 a Public Hearing Agenda will also include Regular Meeting Items**
2. **Call to Order the Public Hearing - START TIME 6:00 PM - Lakeshore Rd 5064 - LUCT18-0013 (BL11939) Z18-0092 (BL11963) - Mark Fipke**

Mayor Basran called the Hearing to order at 6:08 p.m.

Mayor Basran advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

Mayor Basran advised that in accordance with the Order of the Provincial Health Officer on Gatherings and Events, applicants and the public are not permitted to attend in person. Participation by applicants and the public will be by electronic means only.

3. **Individual Bylaw Submissions**

3.1 START TIME 6:00 PM - Lakeshore Rd 5064 - LUCT18-0013 (BL11939) Z18-0092 (BL11963) - Mark Fipke

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

4. Termination

The Hearing was declared terminated at 6:08 p.m.

5. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:08 p.m.

6. Bylaws Considered at Public Hearing

6.1 START TIME 6:00 PM - Lakeshore Rd 5064 - BL11939 (LUCT18-0013) - Mark Fipke

Moved By Councillor Donn/Seconded By Councillor DeHart

(R0150/21/02/02) THAT Bylaw No.11939 be read a second and third time and be adopted.

Carried

6.2 START TIME 6:00 PM - Lakeshore Rd 5064 - BL11963 (Z18-0092) - Mark Fipke

Moved By Councillor DeHart/Seconded By Councillor Donn

(R0151/21/02/02) THAT Bylaw No.11963 be read a second and third time and be adopted.

Carried

7. Termination

The meeting was declared terminated at 6:08 p.m.

8. Call to Order the Public Hearing - START TIME 6:00 PM - HWY 97 N - LUCT20-0003 (BL12069) Z20-0062 (BL12070) - Hofa Transport Group Ltd. Inc. No. BC1096204

Mayor Basran called the Hearing to order at 6:09 p.m.

9. Individual Bylaw Submissions

9.1 START TIME 6:00 PM - Hwy 97 N 2890 - LUCT20-0003 (BL12069) Z20-0062 (BL12070) - Hofa Transport Group Ltd. Inc.No. BC1096204

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

10. Termination

The Hearing was declared terminated at 6:10 p.m.

11. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:10 p.m.

12. Bylaws Considered at Public Hearing

- 12.1 START TIME 6:00 PM - Hwy 97 N 2890 - BL12069 (LUCT20-0003) - Hofa Transport Group Ltd. Inc.No. BC1096204**

Moved By Councillor Donn/Seconded By Councillor DeHart

(R0152/21/02/02) THAT Bylaw No. 12069 be read a second and third time.

Carried

- 12.2 START TIME 6:00 PM - Hwy 97 N 2890 - BL12070 (Z20-0062) - Hofa Transport Group Ltd. Inc.No. BC1096204**

Moved By Councillor DeHart/Seconded By Councillor Donn

(R0153/21/02/02) THAT Bylaw No. 12070 be read a second and third time.

Carried

13. Termination

The meeting was declared terminated at 6:12 p.m.

14. Call to Order the Public Hearing - START TIME 6:00 PM - Adams Rd 251 - LUCT20-0004 (BL12071) Z20-0063 (BL12072) - Heartwood Investments Ltd. Inc.No. 352195

Mayor Basran called the Hearing to order at 6:13 p.m.

15. Individual Bylaw Submissions

- 15.1 START TIME 6:00 PM - Adams Rd 251 - LUCT20-0004 (BL12071) Z20-0063 (BL12072) - Heartwood Investments Ltd. Inc.No. 352195**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

16. Termination

The Hearing was declared terminated at 6:13 p.m.

17. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:13 p.m.

18. Bylaws Considered at Public Hearing

18.1 START TIME 6:00 PM - Adams Rd 251 - BL12071 (LUCT20-004) - Heartwood Investments Ltd Inc No 352195

Moved By Councillor Donn/Seconded By Councillor DeHart

(R0154/21/02/02) THAT Bylaw No. 12071 be read a second and third time.

Carried

18.2 START TIME 6:00 PM - Adams Rd 251 - BL12072 (Z20-0063) - Heartwood Investments Ltd Inc No 352195

Moved By Councillor DeHart/Seconded By Councillor Donn

(R0155/21/02/02) THAT Bylaw No. 12072 be read a second and third time.

Carried

19. Termination

The Hearing was declared terminated at 6:14 p.m.

20. Call to Order the Public Hearing - START TIME 6:00 PM - Sutherland Ave 1511 - LUCT20-0005 (BL12073) Z20-0064 (BL12074) - Sapphire Construction Ltd., Inc. No. 84820

Mayor Basran called the Hearing to order at 6:14 p.m.

21. Individual Bylaw Submissions

21.1 START TIME 6:00 PM - Sutherland Ave 1511 - LUCT20-0005 (BL12073) Z20-0064 (BL12074) - Sapphire Construction Ltd., Inc. No. 84820

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Online Participants:

Natasha MacDougal, Sheepskin Boutique

- Owns a business at the subject property.
- Concerned with the implications of the land use change.

Staff:

- Confirmed that the business can operate as it does today.

There were no further comments.

22. Termination

The Hearing was declared terminated at 6:20 p.m.

23. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:20 p.m.

24. Bylaws Considered at Public Hearing

- 24.1 START TIME 6:00PM - Sutherland Ave 1511 - BL12073 (LUCT20-0005) - Sapphire Construction Ltd., Inc. No. 84820**

Moved By Councillor Donn/Seconded By Councillor DeHart

(Ro156/21/02/02) THAT Bylaw No. 12073 be read a second and third time.

Carried

- 24.2 START TIME 6:00 PM - Sutherland Ave 1511 - BL12074 (Z20-0064) - Sapphire Construction Ltd., Inc. No. 84820**

Moved By Councillor DeHart/Seconded By Councillor Donn

(Ro157/21/02/02) THAT Bylaw No. 12074 be read a second and third time.

Carried

25. Termination

The meeting was declared terminated at 6:21 p.m.

26. Call to Order the Public Hearing - START TIME 6:00 PM - Sutherland Ave 1521 - LUCT20-0006 (BL12075) Z20-0065 (BL12076) - Price's Alarm Systems Ltd. Inc.No. BC0929068

Mayor Basran called the Hearing to order at 6:21 p.m.

27. Individual Bylaw Submissions

- 27.1 START TIME 6:00 PM - Sutherland Ave 1521 - LUCT20-0006 (BL12075) Z20-0065 (BL12076) - Price's Alarm Systems Ltd. Inc.No. BC0929068**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

28. Termination

The Hearing was declared terminated at 6:23 p.m.

29. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:23 p.m.

30. Bylaws Considered at Public Hearing

- 30.1 START TIME 6:00 PM - Sutherland Ave 1521 - BL12075 (LUCT20-0006) - Price's Alarm Systems Ltd. Inc. No. BCo929068**

Moved By Councillor Donn/Seconded By Councillor DeHart

(Ro158/21/02/02) THAT Bylaw No. 12075 be read a second and third time.

Carried

- 30.2 START TIME 6:00 PM - Sutherland Ave 1521 - BL12076 (Z20-0065) - Price's Alarm Systems Ltd. Inc. No. BCo929068**

Moved By Councillor DeHart/Seconded By Councillor Donn

(Ro159/21/02/02) THAT Bylaw No. 12076 be read a second and third time.

Carried

31. Termination

The meeting was declared terminated at 6:24 p.m.

- 32. Call to Order the Public Hearing - START TIME 6:00 PM - Lakeshore Rd 3969 - LUCT20-0007 (BL12094) Z20-0068 (BL12095) - Steven Carl Wilson and Piblet Enterprises Ltd**

Mayor Basran called the Hearing to order at 6:24 p.m.

33. Individual Bylaw Submission

- 33.1 START TIME 6:00 PM - Lakeshore Rd 3969 - LUCT20-0007 (BL12094) Z20-0068 (BL12095) - Steven Carl Wilson and Piblet Enterprises Ltd**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

34. Termination

The Hearing was declared terminated at 6:25 p.m.

35. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:25 p.m.

36. Bylaws Considered at Public Hearing

- 36.1 START TIME 6:00 PM - Lakeshore Rd 3969 - BL12094 (LUCT20-0007) Z20-0068 - Steven Carl Wilson and Piblet Enterprises Ltd**

Moved By Councillor Donn/Seconded By Councillor DeHart

(Ro160/21/02/02) THAT Bylaw No. 12094 be read a second and third time and be adopted.

Carried

36.2 START TIME 6:00 PM - Lakeshore Rd 3969 - BL12095 (Z20-0068) - Steven Carl Wilson and Piblet Enterprises Ltd

Moved By Councillor Wooldridge/Seconded By Councillor Singh

(R0161/21/02/02) THAT Bylaw No. 12095 be read a second and third time and be adopted.

Carried

37. Termination

The meeting was declared terminated at 6:27 p.m.

38. Call to Order the Public Hearing - START TIME 6:00 PM - Leathead Rd 460 and Fraser Rd 605 - OCP20-0013 (BL12129) Z20-0066 (BL12130) - Brenda Lou Marie Gibson, 1032308 Alberta Ltd

Mayor Basran called the Hearing to order at 6:27 p.m.

39. Individual Bylaw Submission

39.1 START TIME 6:00 PM - Leathead Rd 460 and Fraser Rd 605 - OCP20-0013 (BL12129) Z20-0066 (BL12130) - Brenda Lou Marie Gibson, 1032308 Alberta Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Tony Khunkhun, Applicant

- Introduced the item.

Brad Vienstra, Blue Vision Design, Applicant's Agent

- Shared a PowerPoint presentation.
- Provided details of the proposed townhouse development.
- Referred to a sun study that was completed and confirmed that the neighbouring residential property at 625 Fraser Road will not have its sunlight exposure affected.
- Spoke to the other multi-family developments zoned in the immediate neighbourhood.
- Spoke to the neighbours concerns on shading and crime and safety and parking. Spoke to the \$1000 landscaping allowance for the adjacent property owner.
- Responded to questions from Council.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Online Participants:

Justin McMichael, Fraser Rd, Kelowna

- Confirmed they are the adjacent property owner.
- Opposed to the application.
- Raised concern with height of proposed buildings and impacts on their property.
- Raised concern with parking.
- Raised concern with shadow impact over the winter months.
- Concern over the removal of the existing trees.

Pauline Bonk, Leathead Rd, Kelowna

- Opposed to the application.

- Has not been contacted or communicated with by the applicant.
- The visual rendering is not accurate for where the structure will be situated.
- Questioned the impacts of water table on the development.
- Concern regarding traffic congestion and parking in the area.
- Questioned the impacts of the water table on the development.

Rose Webster, Leathead Rd, Kelowna

- Concern regarding traffic congestion on Leathead Road.
- Concern regarding parking on Fraser Road.
- Opposed to the application given the height and size of the development.

Angrietta Bregeda, Leathead Rd, Kelowna

- Opposed to the application.
- Opposed to the OCP amendment.
- Concerned regarding traffic congestion on Leathead Rd.

David Buck, Fraser Rd, Kelowna

- Opposed to the application.
- Lives across the street to the subject property.
- Concerned with the increase in onstreet parking from the development.
- Concerned with the height of the proposed buildings for the neighbourhood.

Justin McMichael, Fraser Rd, Kelowna

- Concern regarding water and drainage along Fraser Road and the immediate neighbourhood.
- Raised potential concern with their basement flooding.

Tony Khunkhun, Applicant's response

- Spoke to addressing the neighbours concerns regarding landscaping buffer and fencing offered.
- Spoke to being willing to work with neighbours to further address concerns.
- Responded to questions from Council.

Brad Vienstra, Blue Vision Design, Applicant's Agent's response

- Spoke to the parking and drainage onsite.
- Believe this size of development is fitting to the area and densification supported in the area.
- Confirmed onsite parking configurations.
- Responded to questions from Council.

Staff:

- Confirmed the water provider for the subject property is Black Mountain Irrigation District.

There were no further comments.

40. Termination

The Hearing was declared terminated at 7:22 p.m.

41. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 7:22 p.m.

42. Bylaws Considered at Public Hearing

- 42.1 START TIME 6:00 PM - Leathead Rd 460 and Fraser Rd 605 - BL12129 (OCP20-0013)
- Brenda Lou Marie Gibson, 1032308 Alberta Ltd**

Moved By Councillor Singh/Seconded By Councillor Wooldridge

(Ro162/21/02/02) THAT Bylaw No. 12129 be read a second and third time.

Carried
Opposed - Councillor Hodge, Stack

- 42.2 START TIME 6:00 PM - Leathead Rd 460 and Fraser Rd 605 - BL12130 (Z20-0066) -
Brenda Lou Marie Gibson, 1032308 Alberta Ltd**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

(Ro163/21/02/02) THAT Bylaw No. 12130 be read a second and third time.

Carried
Opposed - Councillor Hodge, Stack

43. Termination

The meeting was declared terminated at 7:35 p.m.

**44. Call to Order the Public Hearing - START TIME 6:20 PM - TA20-0021 (BL12150) - HD3 -
Health Services Transitional Zone - City of Kelowna**

Mayor Basran called the Hearing to order at 7:36 p.m.

45. Individual Bylaw Submission

- 45.1 START TIME 6:20 PM - TA20-0021 (BL12150) - HD3 - Health Services Transitional
Zone - City of Kelowna**

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The Applicant participated online and was available for questions.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Online Participants:

Erica Bell-Lowther, Abbott St, Kelowna

- Opposed to the application.
- Spoke to the letter of concern written by KASAN.
- Spoke to the history of development in the area and consultation with developers.
- Concerned with ongoing interest in large multi-family development in the Abbott Street Heritage Conservation area.

Susan Ames, President of KASAN, Abbott St, Kelowna,

- Opposed to the application.
- Spoke to the previous communications with the Planning Department.
- Spoke to the history of HD land use changes in the area.
- Request a deferral or for Council to defeat.

Payam Dehghani, Royal Ave, Kelowna

- Supportive of the application.
- Emphasized as a physician and instructor at Kelowna General Hospital it is difficult to find appropriate housing in the hospital area for staff.
- Responded to questions from Council.

Garry Fawley, Density Development Corp., Applicant's Agent, Royal Ave, Kelowna

- Supportive of the application.
- Involved with the redevelopment of Royal Avenue.
- Believes it is an appropriate use for the area.

Shane Worman, West Ave, Kelowna

- Spoke to the history from their development perspective.

Staff responded to questions from Council.

There were no further comments.

46. Termination

The meeting was declared terminated at 8:17 p.m.

47. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 8:17 p.m.

48. Bylaws Considered at Public Hearing

48.1 START TIME 6:20 PM - BL12150 (TA20-0021) - HD3 - Health Services Transitional Zone - City of Kelowna

Moved By Councillor Singh/Seconded By Councillor Wooldridge

(R0164/21/02/02) THAT Bylaw No. 12150 be read a second and third time and be adopted.

Carried
Opposed - Councillor Hodge, Stack

49. Termination

The meeting was declared terminated at 8:31 p.m.

50. Call to Order the Public Hearing - START TIME 6:20 PM - Royal Ave 480 - Z20-0059 (BL12142) - W Squared Ventures Inc., Inc.No. BC1258050

Mayor Basran called the Hearing to order at 8:31 p.m.

51. Individual Bylaw Submission

51.1 START TIME 6:20 PM - Royal Ave 480 - Z20-0059 (BL12142) - W Squared Ventures Inc., Inc.No. BC1258050

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Shane Worman, Applicant, West Ave, Kelowna

The Applicant participated online and was available for questions.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

(Ro165/21/02/02) THAT Rezoning Application No. Z20-0059 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4, District Lot 14, Osoyoos Division Yale District, Plan 7535, located at 480 Royal Avenue, Kelowna, BC from the RU1 - Large Lot Housing zone to the HD3 - Health Services Transitional zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated January 18, 2021;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Heritage Alteration Permit for the subject property.

Carried

52. Termination

The meeting was declared terminated at 8:35 p.m.

53. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 8:35 p.m.

54. Bylaws Considered at Public Hearing

54.1 START TIME 6:20 PM - Royal Ave 480 - BL12142 (Z20-0059) - W Squared Ventures Inc., Inc.No. BC1258050

Moved By Councillor Wooldridge/Seconded By Councillor Singh

(Ro166/21/02/02) THAT Bylaw No. 12142 be read a second and third time.

Carried

55. Termination

The meeting was declared terminated at 8:35 p.m.

56. Call to Order the Public Hearing - START TIME 7:20 PM - Benvoulin Rd 2269-2279 - HD20-0002 (BL12143) - Central Okanagan Heritage Society, Inc. No. 175185

Mayor Basran called the Hearing to order at 8:36 p.m.

57. Individual Bylaw Submission

57.1 START TIME 7:20 PM - Benvoulin Rd 2269-2279 - HD20-0002 (BL12143) - Central Okanagan Heritage Society, Inc. No. 175185

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Lorri Dauncey, Applicant's Agent

- Provided a PowerPoint presentation summarizing the application.
- Provided a history of the church and uses of the building once the church was unconsecrated.
- The heritage building opened in the 1980's.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

58. Termination

The meeting was declared terminated at 8:46 p.m.

59. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 8:46 p.m.

60. Bylaws Considered at Public Hearing

60.1 START TIME 7:20 PM - Benvoulin Rd 2269-2279 - BL12143 (HD20-0002) - Central Okanagan Heritage Society, Inc. No. 17518S

Moved By Councillor Wooldridge/Seconded By Councillor Singh

(Ro167/21/02/02) THAT Bylaw No. 12143 be read a second and third time and be adopted.

Carried

61. Termination

The meeting was declared terminated at 8:53 p.m.

62. Call to Order the Public Hearing - START TIME 7:20 PM - Text Amendment No. TA20-0023 (BL12144) - City of Kelowna

This item was deferred for further consultation with industry stakeholders.

63. Individual Bylaw Submission

63.1 START TIME 7:20 PM - Text Amendment No. TA20-0023 (BL12144) - City of Kelowna

Deferred.

64. Termination – item deferred

65. Call to Order the Regular Meeting – item deferred

66. Bylaws Considered at Public Hearing

66.1 START TIME 7:20 PM - BL12144 (TA20-0023) - City of Kelowna

Item deferred.

67. Termination - item deferred

68. Call to Order the Public Hearing - START TIME 7:20 PM - Springfield Rd 1585, TA20-0025 (BL12145) - Springfield Plaza Inc., Inc. No. BCo479374

Mayor Basran called the Hearing to order at 8:54 p.m.

Mayor Basran advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

Mayor Basran advised that in accordance with the Order of the Provincial Health Officer on Gatherings and Events, applicants and the public are not permitted to attend in person. Participation by applicants and the public will be by electronic means only.

69. Individual Bylaw Submission

69.1 START TIME 7:20 PM - Springfield Rd 1585, TA20-0025 (BL12145) - Springfield Plaza Inc., Inc. No. BCo479374

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The applicant did not participate online.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

70. Termination

The meeting was declared terminated at 8:58 pm

71. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 8:58 p.m.

72. Bylaws Considered at Public Hearing

72.1 START TIME 7:20 PM - Springfield Rd 1585, BL12145 (TA20-0025) - Springfield Plaza Inc., Inc. No. BCo479374

Moved By Councillor Singh/Seconded By Councillor Wooldridge

(Ro168/21/02/02) THAT Bylaw No. 12145 be read a second and third time.

Carried

73. Termination

The meeting was declared terminated at 8:59 p.m.

74. Call to Order the Public Hearing - START TIME 7:20 PM - (W OF) Hwy 97 N - OCP19-0006 (BL12151) and Z19-0108 (BL12152) - 1207431 B.C. Ltd., Inc. No. BC1207431

Mayor Basran called the Hearing to order at 8:59 p.m.

75. Individual Bylaw Submission

75.1 START TIME 7:20 PM - (W OF) Hwy 97 N - OCP19-0006 (BL12151) and Z19-0108 (BL12152) - 1207431 B.C. Ltd., Inc. No. BC1207431

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Ed Grifone, CTO Consultants, Applicant's agent

- Introduced Mary Ann from EcoScape Consulting and Dave Cullen from CTO.
- Provided a PowerPoint presentation.
- Provided comment on the development proposal.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

76. Termination

The meeting was declared terminated at 9:13 p.m.

77. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 9:13 p.m.

78. Bylaws Considered at Public Hearing

78.1 START TIME 7:20 PM - (W OF) Hwy 97 N - BL12151 (OCP19-0006) - 1207431 B.C. Ltd., Inc. No. BC1207431

Moved By Councillor Wooldridge/Seconded By Councillor Singh

(R0169/21/02/02) THAT Bylaw No. 12151 be read a second and third time.

Carried

78.2 START TIME 7:20 PM - (W OF) Hwy 97 N - BL12152 (Z19-0108) - 1207431 B.C. Ltd., Inc. No. BC1207431

Moved By Councillor Singh/Seconded By Councillor Wooldridge

(R0170/21/02/02) THAT Bylaw No. 12152 be read a second and third time.

Carried

79. Termination

The meeting was declared terminated at 9:15 p.m.

Mayor Basran

sf/cm



City Clerk



City of Kelowna Regular Meeting Minutes

Date: Tuesday, February 2, 2021
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Mohini Singh and Loyal Wooldridge

Members participating remotely Councillors Charlie Hodge and Luke Stack

Members Absent Councillor Brad Sieben

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Community Planning & Development Manager, Dean Strachan

Staff participating remotely Legislative Coordinator (Confidential), Clint McKenzie
(* Denotes partial attendance)

1. **Call to Order**
Mayor Basran called the meeting to order at 9:15 p.m.
2. **Reaffirmation of Oath of Office**
The Oath of Office was read by Councillor DeHart.
3. **Confirmation of Minutes**

Moved By Councillor Wooldridge/Seconded By Councillor Donn

(R0171/21/02/02) THAT the Minutes of the Public Hearing and Regular Meeting of January 19, 2021 be confirmed as circulated.

Carried

4. Development Permit and Development Variance Permit Reports

4.1 START TIME 8:00 PM - Central Ave 675 - DVP20-0067 - Desiree Ann Brodhurst

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Phillipp Wambold, Applicant's agent, Blackwell Way, Vernon

-Participated online and was available for questions.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

(R0172/21/02/02) THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0067 for Lot 8 District Lot 9 ODYD Plan 3730, located at 675 Central Avenue, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.6.6(g): RU6 – Two Dwelling Housing Development Regulations

To vary the minimum side yard setback for a 1 or 1½ storey portion of a building from 2.0 m required to 1.61 m proposed.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

5. Reminders

There were no reminders.

6. Termination

The meeting was declared terminated at 9:20 p.m.

Mayor Basran

sf/cm



City Clerk