

City of Kelowna

Regular Council Meeting

AGENDA



Monday, August 9, 2021
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, a maximum of 67 members of the public is permitted to attend Council meetings in-person. Members of the public must remain seated unless invited to address Council.

As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

5 - 15

PM Meeting - July 26, 2021

3. Development Application Reports & Related Bylaws

3.1. Gaspardone Rd 4554 - Z21-0057 (BL12257) - Jeffrey and Ingrid Douziech

16 - 34

To rezone the subject property from the A1 – Agriculture 1 zone to the RR1c – Rural Residential 1 with Carriage House zone, and to waive the Public Hearing.

3.2. Gaspardone Rd 4554 - BL12257 (Z21-0057) - Jeffrey and Ingrid Douziech

35 - 35

To give Bylaw No. 12257 first reading in order to rezone the subject property from the A1 – Agriculture 1 zone to the RR1c – Rural Residential 1 with Carriage House zone.

- 3.3. Mantle Crt 1870 Walburn Rd 2903 Gallagher Rd 2975 - OCP21-0005 (BL12258) Z21-0010 (BL12259) - RDCO, David and Laura Geen** 36 - 84
- To amend the Official Community Plan designations from PARK – Major Park/Open Space (public) to the REP – Resource Protection designation for a portion of 1870 Mantle Court and 2903 Walburn Road and from REP – Resource Protection to PARK – Major Park/Open Space (public) for a portion 2975 Gallagher Road. Also to rezone from P3 – Parks and Open Space to the A1 – Agriculture zone for a portion of 1870 Mantle Court and 2903 Walburn Road and from the A1 – Agriculture 1 zone to the P3 – Parks and Open Space zone for a portion of 2975 Gallagher Road to accommodate the enhancement of the Scenic Canyon Regional Park and adjacent agricultural land.
- 3.4. Mantle Crt 1870 Walburn Rd 2903 Gallagher Rd 2975 - BL12258 (OCP21-0005) - RDCO, David and Laura Geen** 85 - 87
- Requires a majority of all members of Council (5).**
- To give Bylaw No. 12258 first reading in order to amend the Official Community Plan designation for portions of the subject properties from the PARK – Major Park/Open Space (public) designation to the REP – Resource Protection Area designation and from the REP – Resource Protection Area designation to the PARK – Major Park/Open Space (public) designation.
- 3.5. Mantle Crt 1870 Walburn Rd 2903 Gallagher Rd 2975 - BL12259 (Z21-0010) - RDCO, David and Laura Geen** 88 - 89
- To give Bylaw No. 12259 first reading in order to rezone portions of the subject properties from the P3 – Parks and Open Space zone to the A1 – Agriculture zone and from the A1 – Agriculture 1 zone to the P3 – Parks and Open Space zone.
- 3.6. Paret Pl 681 - Z21-0052 (BL12261) - Derek J. Klask** 90 - 103
- To rezone the subject property from the RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House to facilitate the conversion of an existing detached garage into a carriage house, and to waive the Public Hearing.
- 3.7. Paret Pl 681 - BL12261 (Z21-0052) - Derek J. Klask** 104 - 104
- To give Bylaw No. 12261 first reading in order to rezone the subject property from the RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House.
- 3.8. TA21-0009 (BL12263) - Section 13 - Urban Residential Zones - Carriage House Text Amendment - City of Kelowna** 105 - 121
- To amend the Zoning Bylaw to allow carriage houses as a permitted secondary use on RU1 and RU2 lots that have a sanitary sewer connection within the Urban Core, as defined by Map 5.1 in the Kelowna 2030 - Official Community Plan.

3.9.	BL12263 (TA21-0009) - Section 13 - Urban Residential Zones - Carriage House Text Amendment - City of Kelowna	122 - 125
	To give Bylaw No. 12263 first reading in order to amend the Zoning Bylaw to allow carriage houses as a permitted secondary use on RU1 and RU2 lots that have a sanitary sewer connection within the Urban Core, as defined by Map 5.1 in the Kelowna 2030 - Official Community Plan.	
3.10.	Fraser Rd 605 Leathead Rd 460 - OCP20-0013 Z20-0066 - Supplemental Report Following Neighbourhood Notification	126 - 133
	To provide Council with an update on the neighbourhood notification that has occurred for OCP20-0013 and Z20-0066 for 605 Fraser Road and 460 Leathead Road.	
3.11.	Supplemental Report - Mayfair Crt 734 - Z20-0095 (BL12241) - Adam Wladyslaw Zurek	134 - 135
	To receive a summary of correspondence for Rezoning Bylaw No. 12241 and to give the bylaw further reading consideration.	
3.12.	Mayfair Crt 734 - BL12241 (Z20-0095) - Adam Wladyslaw Zurek	136 - 136
	To give Bylaw No. 12241 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.	
3.13.	Supplemental Report - Gordon Dr 4653 - Z21-0008 (BL12242) - Mehdi Tehrani and Mandana Ghanyei	137 - 138
	To receive a summary of correspondence for Rezoning Bylaw No. 12242 and to give the bylaw further reading consideration.	
3.14.	Gordon Dr 4653 - BL12242 (Z21-0008) - Mehdi Tehrani and Mandana Ghanyei	139 - 139
	To give Bylaw No. 12242 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.	
3.15.	Supplemental Report - Patterson Ave 575 - Z21-0004 (BL12244) - Dream Chaser Management and Development Ltd	140 - 141
	To receive a summary of correspondence for Rezoning Bylaw No. 12244 and to give the bylaw further reading consideration.	
3.16.	Patterson Ave 575 - BL12244 (Z21-0004) - Dream Chaser Management and Development Ltd., Inc. No. C1120607	142 - 142
	To give Bylaw No. 12244 second and third reading in order to rezone the property from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.	

- 3.17. Supplemental Report - Trumpeter Rd 508 - Z21-0031 (BL12246) - 508 Trumpeter Road Developments Ltd** 143 - 144

To receive a summary of correspondence for Rezoning Bylaw No. 12246 and to give the bylaw further reading consideration.

- 3.18. Trumpeter Rd 508 - BL12246 (Z21-0031) - 508 Trumpeter Road Developments Ltd., Inc. No. BC1258630** 145 - 145

To give Bylaw No. 12246 second and third reading and adopt in order to rezone the subject property from the RR3c – Rural Residential 3 (Carriage House) zone to the RU1 – Large Lot Housing zone.

4. Bylaws for Adoption (Development Related)

- 4.1. Bryden Rd 155 - BL12231 (Z21-0020) - Kelowna Christian Center Society, Inc.No. Soo17232** 146 - 146

To adopt Bylaw No. 12231 in order to rezone the lot from the RM5 – Medium Density Multiple Housing zone to the RM5r – Medium Density Multiple Housing (Residential Rental Tenure Only) zone.

5. Mayor and Councillor Items

6. Termination



City of Kelowna

Regular Council Meeting

Minutes

Date: Monday, July 26, 2021
 Time: 1:30 pm
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart*, Ryan Donn, Gail Given, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge

Members Participating Remotely Councillors Charlie Hodge

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Planning and Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Community Planning & Development Manager, Dean Strachan*; Planner Specialist, Lydia Korolchuk*; Planner II, Tyler Caswell*; Divisional Director, Partnership & Investment, Derek Edstrom*; Long Range Policy Planning Manager, James Moore*; Planner II, Arlene Janousek*; Partnership Manager, Sandra Kochan*; Mobility Specialist, Matt Warona*; Transportation Engineering Manager, Gordon Foy*; Transit Service Coordinator, Mike Kittmer*; Financial Planning Manager, Kevin Hughes*; Divisional Director, Financial Services, Genelle Davidson*

Guest Lisanne Ballantyne*, Tourism Kelowna

Staff Participating Remotely Clint McKenzie, Legislative Coordinator (Confidential)

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:32 p.m.

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, a maximum of 67 members of the public is permitted to attend Council meetings in-person. Members of the public must remain seated unless invited to address Council. As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Donn

R0728/2021/07/26 THAT the Minutes of the Regular Meetings of July 12, 2021 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Bertram St 1464, 1468, 1476 OCP21-0002, Z21-0003 - 1090396 BC Ltd., INC. No. BC1090396

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Ed Romanowsky, Marcidian Group, Edmonton, Applicant:

- Displayed a PowerPoint presentation summarizing the development proposal.
- Spoke to project objectives regarding housing affordability and amenities.
- Commented on process working with Planning Department.
- Provided proposed breakdown of unit types and parking.
- Shared a video of members of the public speaking to housing needs in Kelowna.
- Responded to questions from Council.

Staff responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Given

R0729/2021/07/26 THAT Official Community Plan Map Amendment Application No. OCP21-0002 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lots 1, 2 & 3 District Lot 139 ODYD Plan 2277, located at 1464, 1468 & 1476 Bertram Street, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential/Commercial) designation, NOT be considered by Council.

AND THAT Rezoning Application No. Z21-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 1, 2 & 3 District Lot 139 ODYD Plan 2277, located at 1464, 1468 & 1476 Bertram Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the C7 - Central Business Commercial zone NOT be considered by Council.

Carried

3.2 McKinley Rd 1890 1988 Glenmore Rd N 3850 3912 - OCP21-0004 (BL12251) TA21-0002 (BL12252) Z21-0005 (BL12253) - Kinnikinnik

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Stack

R0730/2021/07/26 THAT Official Community Plan Map Amendment Application No. OCP21-0004 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designations of portions of Lot 5 Sections 21 and 28 Township 23 ODYD Plan EPP8753 and Lot 6 Sections 21 and 28 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP92220 located at 1890 and 1988 McKinley Road, Kelowna BC and Lot 4 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP76020 and Lot 3 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Part in Plan EPP76020

located at 3850 and 3912 Glenmore Road North, Kelowna, BC from the REP - Resource Protection Area, REC - Private Recreation and PSU - Public Services/Utilities designations to the MXT – Mixed Use Tourism and PARK - Major Park/ Open Space (public) designations as shown on Map "A" attached to the Report from the Development Planning Department dated July 26, 2021, be considered by Council;

AND THAT Zoning Bylaw Text Amendment Application No. TA21-0002 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Attachment "C" attached to the Report from the Development Planning Department dated July 26, 2021, be considered by Council;

AND THAT Rezoning Application No. Z21-0005 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 5 Sections 21 and 28 Township 23 ODYD Plan EPP8753 and Lot 6 Sections 21 and 28 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP92220 located at 1890 and 1988 McKinley Road, Kelowna BC and Lot 4 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP76020 and Lot 3 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Part in Plan EPP76020 located at 3850 and 3912 Glenmore Road North, Kelowna, BC from the A1 – Agriculture 1 and P3 – Parks and Open Space zones to the CD18 – McKinley Beach Comprehensive Resort Development and P3 – Parks and Open Space zones as shown on Map "B" attached to the Report from the Development Planning Department dated July 26, 2021, be considered by Council;

AND THAT the OCP Amendment, Zoning Bylaw Text Amendment, and Rezoning Applications be forwarded to a Public Hearing for Further Consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the Servicing Agreement dated June 29, 2009, currently in place being amended in accordance with the requirements outlined in the Report from the Development Planning Department dated July 26, 2021 and signed by the property owners;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the owners transferring to the City parkland areas totaling approximately 246 acres (99.6 hectares). Carried

3.3 McKinley Rd 1890 1988 Glenmore Rd N 3850 3912 - BL12251 (OCP21-0004) - Kinnikinnik

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0731/2021/07/26 THAT Bylaw No. 12251 be read a first time.

Carried

3.4 McKinley Rd 1890 1988 Glenmore Rd N 3850 3912 - BL12252 (TA21-0002) - Kinnikinnik

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0732/2021/07/26 THAT Bylaw No. 12252 be read a first time.

Carried

3.5 McKinley Rd 1890 1988 Glenmore Rd N 3850 3912 - BL12253 (Z21-0005) - Kinnikinnik

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0733/2021/07/26 THAT Bylaw No. 12253 be read a first time.

Carried**3.6 Trumpeter Rd 494 - Z20-0103 (BL12254) - 1033095 B.C. LTD., INC.NO. BC1033095**

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Hodge

R0734/2021/07/26 THAT Rezoning Application No. Z20-0103 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 Section 24 Township 28 SDYD Plan KAP90635, located at 494 Trumpeter Road, Kelowna, BC from the RR2c – Rural Residential 2 with Carriage House zone to the RU1h – Large Lot Housing (Hillside Area) zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried**3.7 Trumpeter Rd 494 - BL12254 (Z20-0103) - 1033095 B.C. LTD., INC.NO. BC1033095**

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0735/2021/07/26 THAT Bylaw No. 12254 be read a first time.

Carried**3.8 Braeloch Rd 384 - Z21-0053 (BL12255) - Michael Christopher Smith and Brigitte Diane Smith**

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0736/2021/07/26 THAT Rezoning Application No. Z21-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 23 Township 28 SDYD Plan 18996, located at 384 Braeloch Road, Kelowna, BC from the RR2 – Rural Residential 2 to the RU1 – Large Lot Housing zone be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing from the Rezoning Bylaw;

AND FURTHER THAT final adoption of the Rezoning Application 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 July 26th, 2021.

Carried**3.9 Braeloch Rd 384 - BL12255 (Z21-0053) - Michael Christopher Smith and Brigitte Diane Smith**

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0737/2021/07/26 THAT Bylaw No. 12255 be read a first time.

Carried

3.10 Barkley Rd 453 - Z20-0093 (BL12256) - Paul Shiells Robertson and Stacey Lillian Elizabeth Robertson

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Donn

R0738/2021/07/26 THAT Rezoning Application No. Z20-0093 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 28 District Lot 167 ODYD Plan 13550, located at 453 Barkley Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw.

Carried

3.11 Barkley Rd 453 - BL12256 (Z20-0093) - Paul Shiells Robertson and Stacey Lillian Elizabeth Robertson

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0739/2021/07/26 THAT Bylaw No. 12256 be read a first time.

Carried

3.12 Supplemental Report - Sexsmith Rd 3130 - Z21-0058 (BL12238) - 463679 BC Ltd., Inc. No. BC0978460

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0740/2021/07/26 THAT Council receives, for information, the report from the Office of the City Clerk dated July 26, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12238;

AND THAT Rezoning Bylaw No. 12238 be forwarded for further reading consideration.

Carried

3.13 Sexsmith Rd 3130 - BL12238 (Z21-0058) - 463679 B.C. Ltd., Inc.No. BC0978460

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0741/2021/07/26 THAT Bylaw No. 12238 be read a second and third time and be adopted.

Carried

3.14 Supplemental Report - Hollywood Rd S 1065 - Z21-0048 (BL12239) - Jordan Daniel Kaleta and Chelsea Aleksandra McCutchan

Moved By Councillor Given/Seconded By Councillor Sieben

R0742/2021/07/26 THAT Council receives, for information, the report from the Office of the City Clerk dated July 26, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12239;

AND THAT Rezoning Bylaw No. 12239 be forwarded for further reading consideration.

Carried

3.15 Hollywood Rd S 1065 - BL12239 (Z21-0048) - Jordan Daniel Kaleta and Chelsea Aleksandra McCutchan

Moved By Councillor Stack/Seconded By Councillor DeHart

R0743/2021/07/26 THAT Bylaw No. 12239 be read a second and third time and be adopted.

Carried

3.16 Lawson Ave 1021 - Z20-0041 (BL12065) - Bylaw Extension Request

Moved By Councillor Hodge/Seconded By Councillor Donn

R0744/2021/07/26 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 12065, for Lot 2 District Lot 138 ODYD Plan 5065, located at 1021 Lawson Avenue, Kelowna, BC, be extended from August 25, 2021 to August 25, 2022;

AND THAT Council directs Staff to not accept any further extension requests.

Carried

3.17 Radant Rd 575 - Z18-0063 (BL11698) - Rescindment of Bylaw Readings

Moved By Councillor DeHart/Seconded By Councillor Donn

R0745/2021/07/26 THAT Council receives, for information, the Report from the Development Planning Department dated July 26, 2021 with respect to Rezoning Application No. Z18-0063 for the property located at Lot A Section 1 Township 25 ODYD Plan 11054, located at 575 Radant Road, Kelowna BC;

AND THAT Bylaw No. 11698 be forwarded for rescindment consideration and the file be closed.

Carried

3.18 Radant Rd 575 - BL11698 (Z18-0063) - Rescindment of Bylaw Readings

Moved By Councillor Stack/Seconded By Councillor DeHart

R0746/2021/07/26 THAT Bylaw No. 11698 be rescinded.

Carried

3.19 Hilltown Dr 3425 - DP20-0099 - Kinnikinnik Developments Inc., Inc.No. BCo622664

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Stack

R0747/2021/07/26 THAT Council authorizes the issuance of Development Permit No. DP20-0099 for Lot 1 Section 28 Township 23 ODYD Plan EPP76020 located at 3425 Hilltown Drive, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";

2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

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

Carried

3.20 Hwy 33 E 1759, DP21-0109 - Ki-Low-Na Friendship Society, Inc.No. S-10638

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

R0748/2021/07/26 THAT Council authorizes the issuance of Development Permit No. DP21-0109 for Lot B Section 18 Township 27 ODYD Plan 29386 located at 1759 Hwy 33 E, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land in accordance with Schedule "C";

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

Carried

4. Bylaws for Adoption (Development Related)

4.1 Highland Dr N 1653 - BL12236 (Z21-0017) - Shannon Elizabeth Day

Moved By Councillor DeHart/Seconded By Councillor Stack

R0749/2021/07/26 THAT Bylaw No. 12236 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Gibson Road 424 - Consideration of Remedial Action

Staff displayed a PowerPoint presentation summarizing the remedial action and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

R0750/2021/07/26 THAT Council receives, for information, the report from the Property Standards Compliance Team dated July 26, 2021 regarding remedial action at 424 Gibson Road;

AND THAT Council considers that the House and the Retaining Walls are in and create an unsafe condition, and that the renovations made to the House and the construction of the Retaining Walls do not comply with the structural requirements of the BC Building Code and

were done without permits contrary to the requirements of City of Kelowna Building Bylaw No. 7245, 1993;

AND THAT Council hereby declares that the House and the Retaining Walls are a nuisance, within the meaning of Section 74 of the *Community Charter*;

AND THAT Council hereby declares that the imported earthen material used to create a tiered / raised podium area from the rear yard and east side yard down to native undisturbed soils and the area restored with native plantings. All construction debris is to be removed from site and sent to the landfill or recycling center with the outdoor storage of materials and equipment removed from site to an approved location if kept within City boundaries as this earthen fill and materials stored in the rear and side yards is a nuisance, within the meaning of Section 74 of the *Community Charter*, and so dilapidated and unclean as to be offensive to the community;

AND THAT Council hereby requires the Owner to, upon Council resolution date, perform the following actions to the property as prescribed under Section 77: of the *Community Charter* (the "Remedial Action Requirement"). The scope of the work shall include the following:

- Apply for Demolition Permit for the dwelling within 14 days, and
- Remove all personal contents in and around the dwelling unit within 42 days to an approved location if within City of Kelowna boundary, and
- Remediate the house and temporary structures including construction debris of any hazardous materials with 60 days, and
- Remove all construction debris, house and house foundations, exterior deck(s), swimming pool, asphalt from the tennis court area, retaining wall(s), landscape wall(s), temporary structures, vehicles, equipment and imported material, earthen fills imported into the lot within 120 days, and
- Restoration of the lot, including lot grading and planting of native grass and plants with 180 days.

AND THAT under Section 77 (1) notice of the Remedial Action Requirement be sent to the persons entitled to notice under s. 77 of the *Community Charter*, including a copy of this resolution;

AND THAT the City shall notify the persons entitled to notice under s. 77(1) of the *Community Charter* that they may request that Council reconsider the Remedial Action Requirement pursuant to s. 78 of the *Community Charter*, by providing the City with written notice within 14 days of the date on which notice under s. 77 of the *Community Charter* was sent to them;

AND FURTHER THAT if any or all of the actions required in this Resolution are not completed by the corresponding dates set out above, the City may, through its staff, contractors or agents, undertake any or all of those actions required by the Remedial Action Requirement without further notice to and at the expense of the Owner, and recover the costs of doing so in accordance with sections 17, 80, 258, and 259 of the *Community Charter*.

Carried

5.2 Infill Design Challenge 2.0

Staff:

- Displayed a PowerPoint presentation summarizing the plan for infill challenge 2.0.
- Commented on the competition and possible implementation.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

R0751/2021/07/26 THAT Council receives for information the report from the Policy & Planning Department dated July 26, 2021;

AND THAT Council direct staff to proceed with the Infill Challenge Design Competition 2.0 as proposed in the report from the Policy & Planning Department dated July 26, 2021;
AND FURTHER THAT the Financial Plan be amended to include this \$56,000 project with funding of \$20,000 from a CMHC grant, \$16,000 or contributions from community partners, and \$20,000 from the Policy and Planning 2021 operating budget.

Carried

5.3 MRDT Renewal and Tourism Partnership Update

Councillor DeHart declared a conflict of interest because her employer is a stakeholder with Tourism Kelowna and left the meeting at 4:12 p.m.

Staff:

- Displayed a PowerPoint presentation outlining the new five-year agreement.
- Provided an update on the MRDT renewal.
- Responded to questions from Council.

Tourism Kelowna:

- Responded to questions from Council
- Commented on MRDT consultation to date with stakeholders.

Moved By Councillor Given/Seconded By Councillor Sieben

R0752/2021/07/26 THAT Council receives, for information, the report from the Partnership Office dated July 26, 2021 with respect to renewal of the Municipal and Regional District Tax and a five-year Agreement with Tourism Kelowna for the provision of tourism services;

AND THAT Council approves the City entering into a five-year Agreement with Tourism Kelowna for the provision of tourism services, with the option to renew for an additional five-year term, in the form attached as Appendix A to the Report from the Partnership Office, dated July 26, 2021;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Agreement with Tourism Kelowna on behalf of the City of Kelowna.

Carried

Councillor DeHart returned to the meeting at 4:29 p.m.

5.4 2021 BC Active Transportation Infrastructure Grant Application

Staff outlined the grant application for the Casorso 4 ATC and the proposed project scope expansion if successful.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0753/2021/07/26 THAT Council receives, for information, the report from Integrated Transportation dated July 12, 2020 with respect to the 2021 BC Active Transportation Infrastructure Grant Application;

AND THAT Council directs staff to apply for grant funding for the Casorso 4 ATC (Ethel to KLO) through the Active Transportation Infrastructure Grant;

AND THAT the City of Kelowna confirms that the above-mentioned project is construction ready;

AND THAT Council authorizes staff to execute all documents necessary to complete the grant, if successful;

AND THAT, if the grant application is successful, the 2021 Financial Plan be amended to include the receipt of funds;

AND FURTHER THAT the City of Kelowna will be responsible for its share of the eligible costs, ineligible costs, and potential overruns related to the project.

Carried

5.5 Transit Improvement Program - Proposed 2022-2025 budgets

Staff:

- Displayed a PowerPoint presentation outlining the transit expansion initiatives for 2022-2025.
- Informed Council of the new provincial initiative for free transit for children.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor DeHart

R0754/2021/07/26 THAT Council receives for information, the report from the Integrated Transportation dated July 26, 2021, with respect to the Transit Improvement Program 3-year expansion initiatives and free transit for youth under 12 initiative;

AND THAT Council approves entering into a Memorandum of Understanding with BC Transit setting out the City's intention to proceed with the service expansions detailed in year-1 (2022/23);

AND THAT the Mayor and City Clerk be authorized to execute the Memorandum of Understanding.

Carried

5.6 Financial Reserves Policy

Staff:

- Displayed a PowerPoint application outlining the Financial Reserves Policy.
- Provided an overview of the objectives of financial reserves.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0755/2021/07/26 THAT Council receives, for information, the report from Financial Services dated July 26, 2021 regarding Financial Reserves Policy;

AND THAT Council adopts Council Policy No. 384, being Financial Reserves Policy as outlined in the report from the Corporate Financial Planning Manager dated July 26, 2021.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 BL12245 - Amendment No. 14 to the Water Regulation Bylaw No. 10480

Moved By Councillor Stack/Seconded By Councillor DeHart

R0756/2021/07/26 THAT Bylaw No. 12245 be adopted.

Carried

6.2 BL12223 - Amendment No. 4 to the Parks and Public Spaces Bylaw No. 10680

Moved By Councillor Sieben/Seconded By Councillor Stack

R0757/2021/07/26 THAT Bylaw No. 12223 be adopted.

Carried

6.3 BL12243 - Amendment No. 28 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Stack/Seconded By Councillor Sieben

R0758/2021/07/26 THAT Bylaw No. 12243 be adopted.

Carried

7. Mayor and Councillor Items

Councillor Singh:

- Commended the Property Standards Compliance Team for action on moving properties forward.

8. Termination

This meeting was declared terminated at 4:49 p.m.

Mayor Basran

lb/cm



Deputy City Clerk

REPORT TO COUNCIL



Date: August 9th, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0057

Owner: Jeffrey & Ingrid Douziech

Address: 4554 Gaspardone Rd

Applicant: Urban Options Planning Corp.

Subject: Rezoning Application

Existing OCP Designation: REP – Resource Protection Area

Existing Zone: A1 – Agriculture 1

Proposed Zone: RR1c – Rural Residential 1 with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z21-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8 Section 34 Township 29 ODYD Plan KAP78581, located at 4554 Gaspardone Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RR1c – Rural Residential 1 with Carriage House zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the RR1c – Rural Residential 1 with Carriage House zone, and to waive the Public Hearing.

3.0 Development Planning

Staff support the proposed rezoning application to RR1c to facilitate the construction of a new carriage house on the subject property. The Official Community Plan (OCP) Future Land Use Designation of the subject property and neighbouring properties is REP – Resource Protection. The property is located outside of the Permanent Growth Boundary (PGB) area of the City but is not located within or adjacent to the Agricultural Land Reserve (ALR) and is over 1.0 hectare (ha) in total site area. As per the carriage house regulations in Zoning Bylaw No. 8000, carriage homes are required to be connected to sanitary sewer unless the lot is at least 1.0 ha in area and meets the requirements of the City and Medical Health Officer for

septic disposal capacity. The subject site does not have access to community sanitary sewer but is approximately 2.0 hectares in size and therefore exceeds this regulation.

4.0 Proposal

4.1 Project Description

The proposed rezoning from A1 – Agriculture 1 to RR1c – Rural Residential 1 with Carriage House is to facilitate a new carriage house on the subject property. The carriage house is proposed to be 149m² in size, which includes a two-car garage. The carriage house would be accessed off the same drive aisle as the single-family home. The proposal indicates that the carriage house will meet all Zoning Bylaw Regulations without any variances.

The applicant is required to complete and receive a Natural Environment Development Permit to ensure that the proposed area is safe to build and doesn't disrupt any Environmentally Sensitive Areas. This will be required prior to any Building Permit.

4.2 Site Context

The subject property is in the Southeast Kelowna OCP Sector and the surrounding area is primarily zoned A1 – Agriculture and has the Future Land Use Designation of REP – Resource Protection Area, however there is limited active agriculture.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Single-Family Dwelling
East	A1 – Agriculture 1	Single-Family Dwelling
South	Regional District of Central Okanagan	Vacant
West	A1 – Agriculture 1	Single-Family Dwelling

Subject Property Map: 4554 Gaspardone Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.22 Ensure Context Sensitive Housing Development

Policy.12 *Carriage Houses & Accessory Apartments*. Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Application Chronology

Date of Application Received: June 2nd, 2021

Date Public Consultation Completed: June 23rd, 2021

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Conceptual Drawing Package

City of
Kelowna
DEVELOPMENT PLANNINGPlanner
Initials **TC****GENERAL NOTES**

- The following notes are to be included as part of the drawings.
- The General Contractor or the Owner/Builder shall verify all dimensions, details, structural materials and conditions shown on the drawings or noted in the specifications.
- The General Contractor or Owner/Builder shall resolve any problems arising out of any variances from the drawings and specifications, or from conditions encountered at the job site. Such resolution shall be the sole responsibility of the General Contractor or Owner/Builder.
- The Designer shall not be responsible for any departure from the drawings and Specifications authorized by any inspection authority during the course of construction.
- The General Contractor or Owner/Builder shall ensure that all work conform to the current British Columbia Codes adopted by the authorities having jurisdiction or local Building Codes and By-laws that may take precedence.
- The General Contractor or Owner/Builder shall be responsible for correct placement of this building on the site. Any pre-existing structures must be surveyed prior to construction. The foundation must be surveyed post foundation construction.
- The Designer shall not be responsible for site conditions such as soil bearing capacity, depths of water tables or buried structures. A geotechnical engineer registered in the province of British Columbia may be required to determine such conditions per the requirements of the authorities having jurisdiction.
- Work shall be equal in all respects to high efficiency or high quality building practice.
- This house is to meet Step 7 of the British Columbia Step Code in all respects.
- Every effort during construction must be made to ensure an airtightness of 1.0 ACH @ 50Pa. This must be tested by an Energy Advisor certified by Natural Resources Canada upon completion.
- Every effort during construction must be made to ensure this house is to meet an Energy rating of Zero with a Net Zero or Net Zero Ready certification through Natural Resources Canada.
- Written dimensions take precedence over scaled drawings.
- Construction loads on the structure caused by interim storage of materials or use of equipment will not be allowed to exceed the design loads.
- These drawings are not to be scaled.

ERRORS AND OMISSIONS

- The Designer makes every effort to provide complete and accurate home plans. This office assumes no liability for any errors or omissions that may affect construction.
- Should any discrepancies be found in this set of drawings, please advise our office at your earliest convenience.

STRUCTURAL DESIGN CRITERIA

- Assumed roof design snow load = dead + dead + 36 psf (1.68 kN/m²)
- Assumed soil bearing capacity = 2000 psf (95.76 kN/m²)
- Concrete foundation walls and slabs-on-grade shall have a minimum compressive strength of 3000 psi (20 MPa) at 28 days.
- All reinforcing bars shall be billet steel complying with CSA-G30.10.
- Any Structural Engineer's drawings provided take precedence over these drawings.
- The qualified professional engineer must be registered in the province of British Columbia and in good standing with the Engineering Council of BC.
- If there is a Structural Engineering involved, they must provide schedules for their design and are responsible for their own design and inspections.
- If there is no Structural Engineer involved, it is the responsibility of the authority having jurisdiction to confirm all structural design criteria.

FOUNDATION

- Foundations shall be a minimum of 6" thick insulated concrete (exceptions noted) or ICF on solid undisturbed bearing soil or pre-engineered soil approved by a geotechnical engineer certified in the province of British Columbia and below a frost line of 3'-0" below grade.
- Basement foundation walls shall not be backfilled until:
 - Complete has reached its specified 28 day strength.
 - Foundations shall be backfilled with concrete to support the walls is complete and fully nailed and anchored.
- Foundation wall heights may require adjustment to suit site conditions.
- All concrete and masonry foundation walls exceeding limits specified in the current Building Code require engineering.
- All foundation walls 24" (600mm) and higher shall have a minimum of 1" 102" (12mm) reinforcing bar centered on wall and located 3" (75mm) from the top of wall.
- Corner reinforcing to be lapped a minimum 24" (600mm).
- Provide minimum side clear concrete cover of 1 1/2" (38mm).
- Provide minimum bottom clear concrete cover of 3" (75mm) cast against soil.
- The Contractor shall examine all applicable drawings for locations of embedded items before placing concrete.
- Perimeter drainage shall be installed where required to the approval of local authorities.

WOOD FRAME CONSTRUCTION

- Dimensions base of exterior wall sheathing to face of foundation wall.
- Face of exterior sheathing to be flush with outside face of foundation wall.
- Exceptions noted.
- All joints, planks, backing, blocking and bridging to be No. 2 SPF or better.
- All joists, rafters, beams and links to be No. 2 SPF or better. Exceptions noted.
- Floor joists shall be doubled under all non-loadbearing partitions parallel to the joists.
- Joints are to be placed to accommodate heating, plumbing and other services.
- All joists to be 2x10 (2-38x230) or pre-engineered joists. Exceptions noted.
- Wood in contact with concrete to be damped with 45 lb tar saturated felt, 6 mil polyethylene.
- All wood plates are to be anchored to foundation with 12 mm (1/2") anchor bolts with spacing not exceeding 1800 mm or (6'-0") O.C. Unless noted otherwise by the structural engineer of record. Exceptions noted.
- Exterior wood plates are to be level and sealed at contact with concrete foundation.
- Cross-bracing for floor joists and roof joists shall be 3x8x8 (2'-x7") diagonal type wherever possible. Use solid blocking with T-joints.
- Cross-bracing rows shall be installed at mid-span for joist spans exceeding 2100 mm (7'-0") or at 2100 mm (7'-0") maximum, unless strapping or sheathing is applied to the underside of joists.
- Roof trusses may require an engineer's certificate. For pre-engineered trusses, a certificate must be obtained from the truss fabricator.
- Caulk under all exterior door & window frames and at both sides of exposed masonry trimmers.
- Caulk under all base plates at exterior walls.
- Junctions between the floor joist rim joist to foundation must be sealed.

STEEL CONSTRUCTION

- All structural steel design & construction must be sealed & approved by a Structural Engineer registered in the province of British Columbia.
- Fabrication, erection, structural design and detailing of all structural steel and connectors shall be in accordance with CSA-S16-09. Steel decking and metal studs shall be designed, fabricated and installed in accordance with CSA-S16-09 (R2012) and specifications of the manufacturer. Shop drawings shall be sealed by a qualified professional engineer registered in the province of British Columbia.

DECK AND PORCH CONSTRUCTIONS

- All framing to be No.2 SPF or better and at ACO pressure treated lumber or weather protected. Exceptions noted.
- Girders for floor joists to be a min. 2ply 2x10 unless noted otherwise. Girders shall be either bolted to posts w/ 1 1/2" dia. galvanized bolts or anchored into concrete pier.
- All joists to have blocking at 4' o.c.
- All joists attached to house to have a flashing barrier, lapping behind the siding, between the house and ledger. Ledger shall be bolted to the building with 1 1/2" dia. galvanized bolts.
- All ledgers for posts and piers to be below local frost line. Piers shall extend a minimum of 6" above grade or per plan.
- All framing material to have appropriate galvanized hangers and anchors.

INSULATION, VENTILATION, AND SEALING

- Minimum effective insulation requirements (HRV installed):
 - 1.1 Walls above grade: RSI 2.29 (R-16.86)
 - 1.2 Walls below grade: RSI 2.58 (R-16.86)
 - 1.3 Roof & ceiling (cathedral & flat): RSI 6.51 / RSI 4.87 (R-39.23 / R-36.23)
 - 1.4 Floors Above Unheated Space: RSI 4.87 (R-36.23)
 - 1.5 Under floors above frost line: RSI 1.96 (R-11)
 - 1.6 Heated floors: RSI 2.32 (R-15.2)
- Sealant shall be provided where required to prevent the entry of water into the structure.
- Insulation shall be applied at vertical joints between different cladding materials unless the joint is suitably lapped or flashed to prevent the entry of rain.
- Insulation Plus smart vapor barrier shall be applied on the warm side of insulation U.O.C., sealed, structurally supported. All sealants must be non-hardening. Vapor barrier tape shall be applied to all joints, additionally, even if not required at joint.
- Windows, Doors, and Skylights shall be sealed to vapor & air barriers.
- Sealants shall be applied between window frames or trim and the exterior cladding or masonry per British Columbia Building Code 9.27.4. or a Envelope Engineer specifications.
- Gaskets are required on exterior walls and ceilings for electrical boxes and pot lights. Which must be sealed to the vapour/barrier.
- Attic hatches and all electrical penetrations into the attic space along any gaps, spaces, penetrations, irregularities that could inhibit vapour/air leakage must be sealed.
- Foundation wall insulation to be 3" EPS (R15) of rigid insulation on inside face of concrete, both sides of R2 or min. 1" EPS rigid insulation between a ball filled firm wall & foundation wall.
- Provide a baffle of air space (equal to soil venting area) between insulation and roof sheathing at exterior wall line.
- All walls and ceilings between residential spaces and garages or carports shall be insulated.
- Insulation requirements may vary with heating systems and with local conditions. Verify with local authorities.

INSULATION, VENTILATION, AND SEALING

- All roof spaces shall be ventilated with soffit, roof or gable vents, or a combination of these equally distributed between the top of roof space and soffits. Unless Sprayed polyurethane foam, medium density closed cell (CANULC S705.1) is used.
- Venting area for attic and roof spaces shall be a minimum of 1/300 of attic or roof space area. Unless Sprayed polyurethane foam, medium density closed cell (CANULC S705.1) is used.
- Vents for unheated crawlspaces shall be closable, with a minimum total area 1/500 of the crawlspace area.

MASONRY, CHIMNEYS, AND FREEPLACES

- All masonry work shall be in accordance with the current British Columbia Building Code. Chimney and fireplace construction to comply with the applicable sections of Part 9 of the British Columbia Building Code.
- All chimney and fireplace installations shall be inspected, installed and approved by municipal authorities. A separate permit may be required.
- Fireplaces, including hearth and mantle if specified, are to be finished to Owner's specifications.
- Fireplace flue size to be minimum 1/10 of opening size.
- Chimney shall be masonry and min. 200mm (8") above finished opening.
- Provide min. 200mm (8") of brick, including firebrick, on all sides of firebox - min. 300mm (12") for stone.
- Interior wood-frame members to be min. 100mm (4") clear from back of and sides of firebox, and min. 21" 50mm clear from brick chimneys.
- Exterior wood-frame members to be min. 25mm (1") clear from exterior fireplace and minimum 12mm (1/2") clear from exterior chimney.
- Zero clearance type metal fireplaces and metal chimneys to be CSA approved and installed to manufacturer's specifications. Metal lining is recommended for chimney chimneys.

FINISHING

- All interior and exterior finishes shown on the drawings shall be confirmed by the Owner & Contractor.
- Exterior doors shall be solid core and weather-stripped.
- All exterior doors shall have solid core and weather-stripped threshold to have built-in drain in sill or have grade drain and flashing below on the exterior side of all respects.
- Garage doors to dwelling areas to be solid core, weather-stripped and self-closing.
- All horizontal changes in exterior finishes to be flashed. As well as any horizontal offsets in cladding that may compromise the drainage of moisture from behind the exterior finish above.
- Flashing to be installed over all unprotected exterior openings.
- Siding glass doors shall have safety glass.
- Openings in partitions shown without doors are to be full height unless shown as an arch, door opening, or noted otherwise.
- Interior archways are to be framed 2075mm (8'-11") high. Exceptions noted.
- Coat and clothes closets shall have one rod and shelf. Linen closets shall have 5 adjustable shelves, engineering possible. Broome closets shall have one shelf (unless shown/indicated otherwise).
- All bathrooms shall have a wall medicine cabinet or one lookable cabinet drawer.

HEATING

- Installation of entire heating system, whether electric, forced warm air or hot water, must comply with manufacturer's directions (where applicable) and conform to requirements of local codes and regulations in all respects.
- Gas connection will require separate permit and inspection.
- All supply air ducts to be installed overhead in basement unless specified otherwise.
- All return air intakes and registers to be located and installed for maximum efficiency by a qualified heating contractor.

PLUMBING

- All materials, equipment and methods of installation shall be in accordance with requirements outlined in Part 7 of the most current British Columbia Building Code and applicable local regulations.
- When the Owner's property is not located on a municipal sewer system, wells and septic disposal systems are to be located and constructed in accordance with health authorities having jurisdiction.
- All plumbing materials in contact with soils shall be corrosion resistant.
- All water closets to be low flush (water efficient) water closets. Unless noted otherwise.
- All plumbing fixtures to be low flow (water efficient) fixtures. Unless noted otherwise.

ELECTRICAL

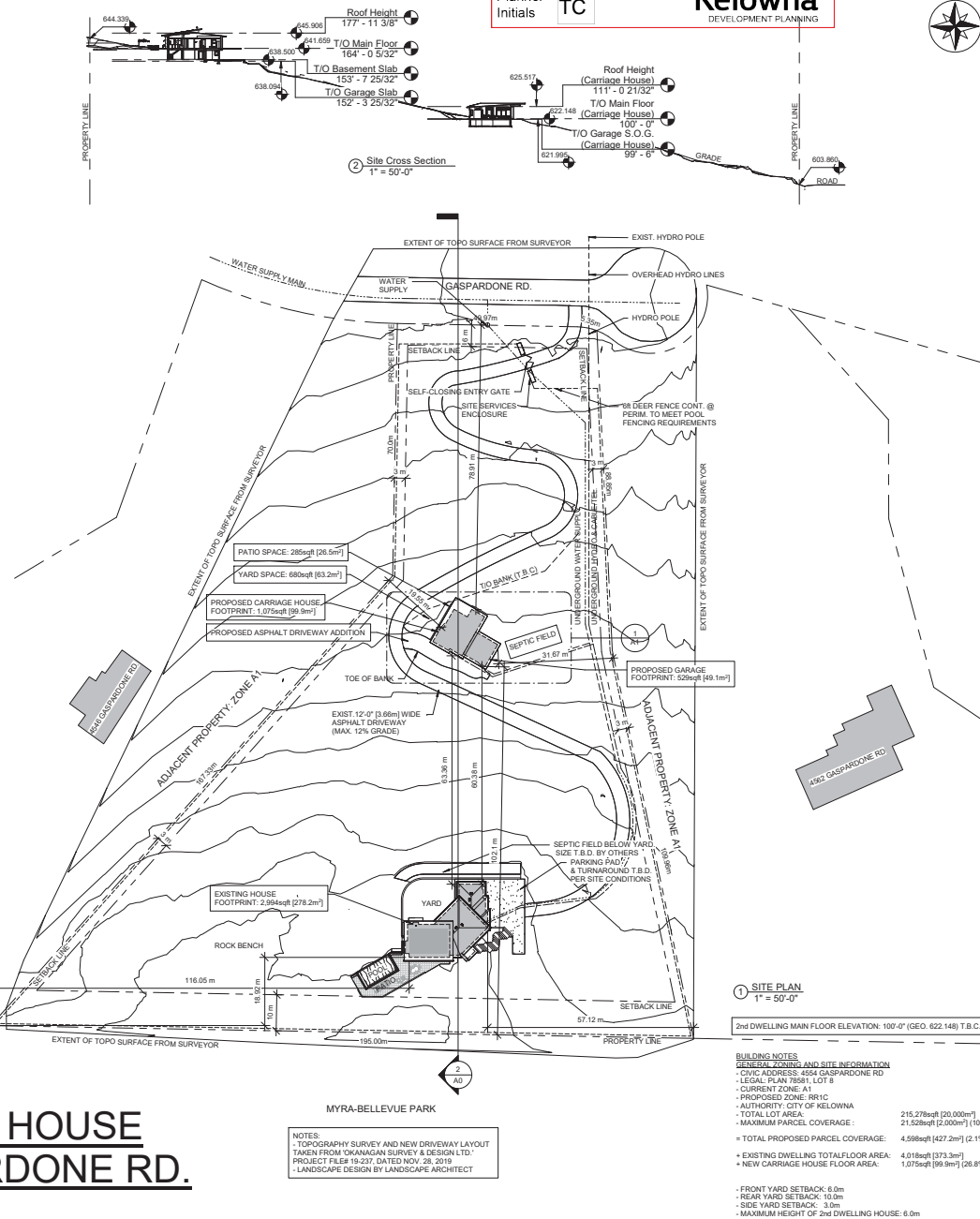
- Installation of electrical items must comply with the most current British Columbia Electrical Code and with the local electrical supplier in all respects.
- Outlet locations must comply with or exceed current minimum requirements outlined in the British Columbia Building Code. The minimum requirements are to be used as a guide only, and may be adjusted according to the Owner's and/or local authority's specific requirements beyond the minimum.
- All lights to be light emitting diode (LED) lights. Unless Noted Otherwise.

ABBREVIATIONS

AC	Acoustic	LINO.	Linoleum
B.C.B.C.	B.C. Building Code	LOUV.	Louvered
BD	Board	MAX.	Maximum
BL	Blind door	M.C.	Medicine cabinet
BL.F.	Blind door	M.F.S. SPEC'S	Manufacturer's Specifications
BM	Beam	MIN.	Minimum
BTWN	Between	MIR	Mirror
BU	Built-up	MW	Microwave
CEILING	Ceiling	NA	Not Applicable
COL.	Column	N.B.C.	National Building Code
CONC.	Concrete	N.T.S.	Not to scale
CONC. BLK	Concrete block	OBSC.	Obscure
C.S.	Continuous	O.C.	On centre
CNT	Complete with	OVH	Overhang
DA	Diameter	PCK	Pocket Door
DM	Dimension	P.L.A.	Point Load Above
DN	Down	P.W.D	Plywood
D.W.	Down	R	Range
D.W. ELECT.	Down	REQ'D	Required
ELEV.	Elevation	R.C.	Rubber cover
EQ	Equip	R. & S.	Room & Shaft
E/W	Each Way	R.O.	Rough opening
F.D.	Refrigerator	R.F.	Reinforced with
F.F.	Floor drain	R.W.	Reinforced with
F.F.P.	From Existing Plans	S	Sink
F.P.	Foundation	SH	Shower
F.R.Z.	Freezer	S.O.G.	Slab on grade
F.R.Z.	Freezer	SUSP.	Suspended
F.T.O.	Footing	TYP	Typical
GA	Guard	TYP	Typical
H.R.	Hip/Rail	T.B.C	To be confirmed
GWB	Gypsum board	U.S.	Underlaid
H.B.	Horizontal	V.B.	Vapour Barrier
HORIZ.	Horizontal	VEST.	Vent Hood
H.W.	Hot Water	V.H.	(Clothes) Washer
INST.	Installed	W	With
INSUL	Insulation	W.C.	Water Closet
LD.RY.	Laundry	WRB	Weather Resistant Barrier
LDN	Laundry	WD	Wood
		W.F.P	Welded wire mesh
		W.M.	Welded wire mesh
		U.N.D.	Unless Noted Otherwise

CARRIAGE HOUSE

4554 GASPARDONE RD.



Prime Habitat Builders
P.O. BOX 30027
Glenpark PO
Kelowna, BC
V1V 2M4
(250) 801-7696
info@prime-habitat.com

Issue Schedule		
Issue Number	Description	Date (dd.mm.yy)
29	Re-Zoning	27.05.21



Carriage House

4554 Gaspardone Rd.
Lot 8, Plan 78581
Kelowna, BC

SITE PLAN

SCALE:
AS NOTED

DRAWN BY: BV	CHECKED BY: BV
-----------------	-------------------

DATE:
27.05.21PROJECT:
2019-048

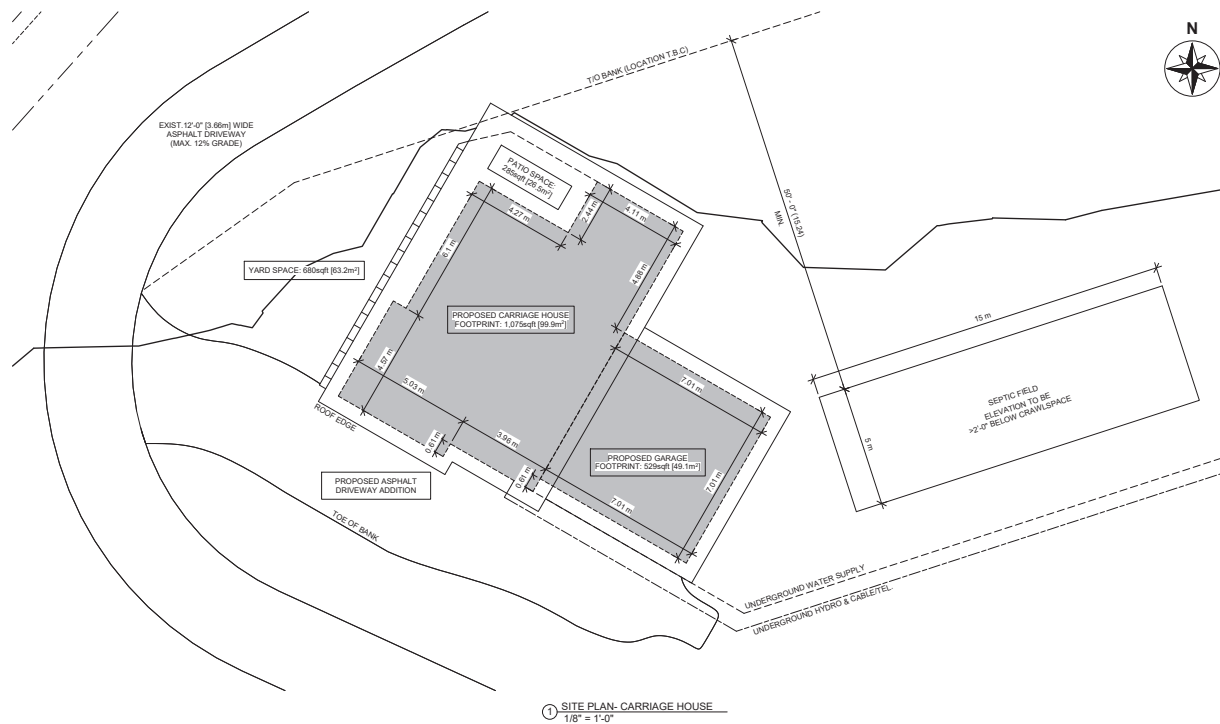
A0

A

Planner Initials	TC
---------------------	----



City of
Kelowna
DEVELOPMENT PLANNING



Prime Habitat Builders
P.O. BOX 30027
Glenpark PO
Kelowna, BC
V1V 2M4
(250) 801-7696
info@prime-habitat.com

Issue Schedule		
Issue Number	Description	Date (dd.mm.yy)



Carriage House

4554 Gaspardone Rd.
Lot 8, Plan 78581
Kelowna, BC

SITE PLAN- CARRIAGE HOUSE

SCALE:
AS NOTED

DRAWN BY: Author	CHECKED BY: Checker
DATE:	PROJECT: 2019-048

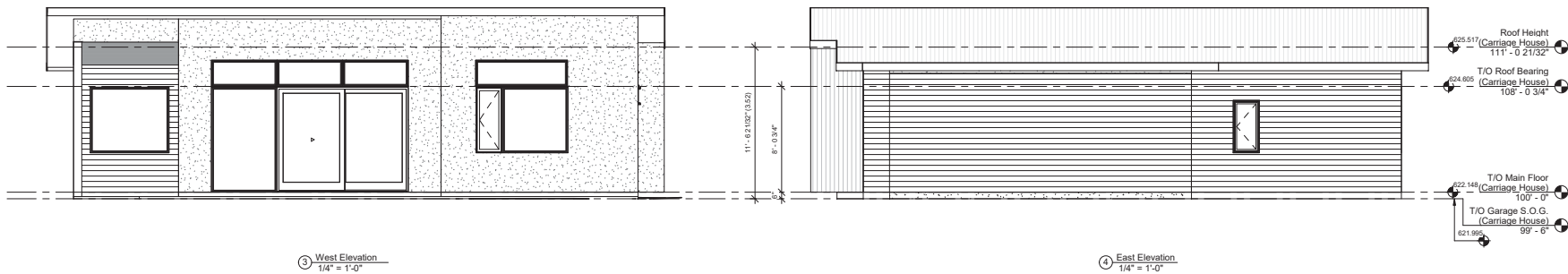
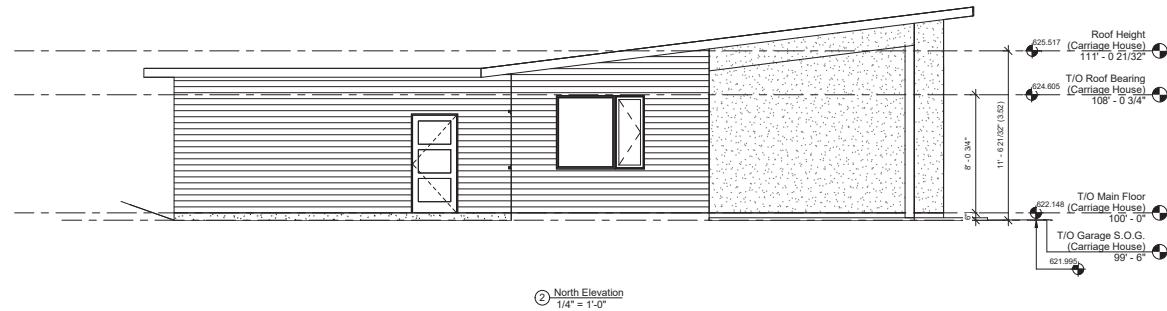
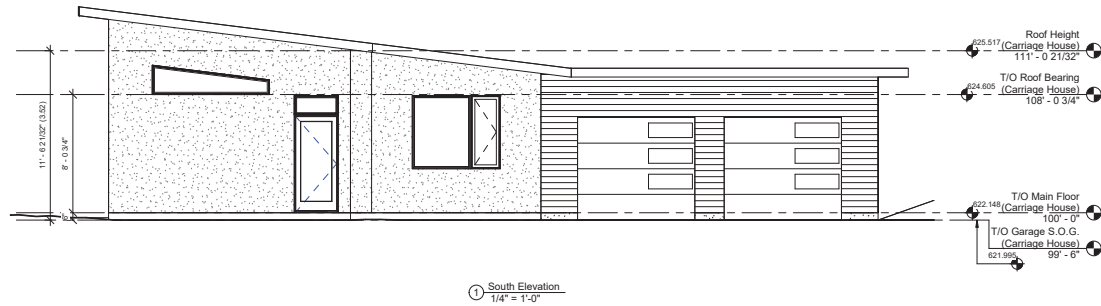
A1

ATTACHMENT A

This forms part of application
Z21-0057

Planner
Initials TC

City of
Kelowna
DEVELOPMENT PLANNING



prime habitat

Prime Habitat Builders
P.O. BOX 30027
Glenpark PO
Kelowna, BC
V1V 2M4
(250) 801-7696
info@prime-habitat.com

Issue Schedule		
Issue Number	Description	Date (dd.mm.yy)
29	Re-Zoning	27.05.21



Carriage House

4554 Gaspardone Rd.
Lot 8, Plan 78581
Kelowna, BC

ELEVATIONS

SCALE:
AS NOTED

DRAWN BY: BV	CHECKED BY: BV
DATE: 27.05.21	PROJECT: 2019-048

A2



Z21-0057

4554 Gaspardone Rd

Rezoning Application



Proposal

- ▶ To rezone the subject property from A1 – Agriculture 1 to RR1C – Rural Residential 1 with Carriage House.

Development Process

Jun 2nd, 2021

Development Application Submitted



Staff Review & Circulation



Jun 23rd, 2021

Public Notification Received



Aug 9th, 2021

Initial Consideration



Public Hearing
Second & Third Readings



Final Reading
DP & Variances



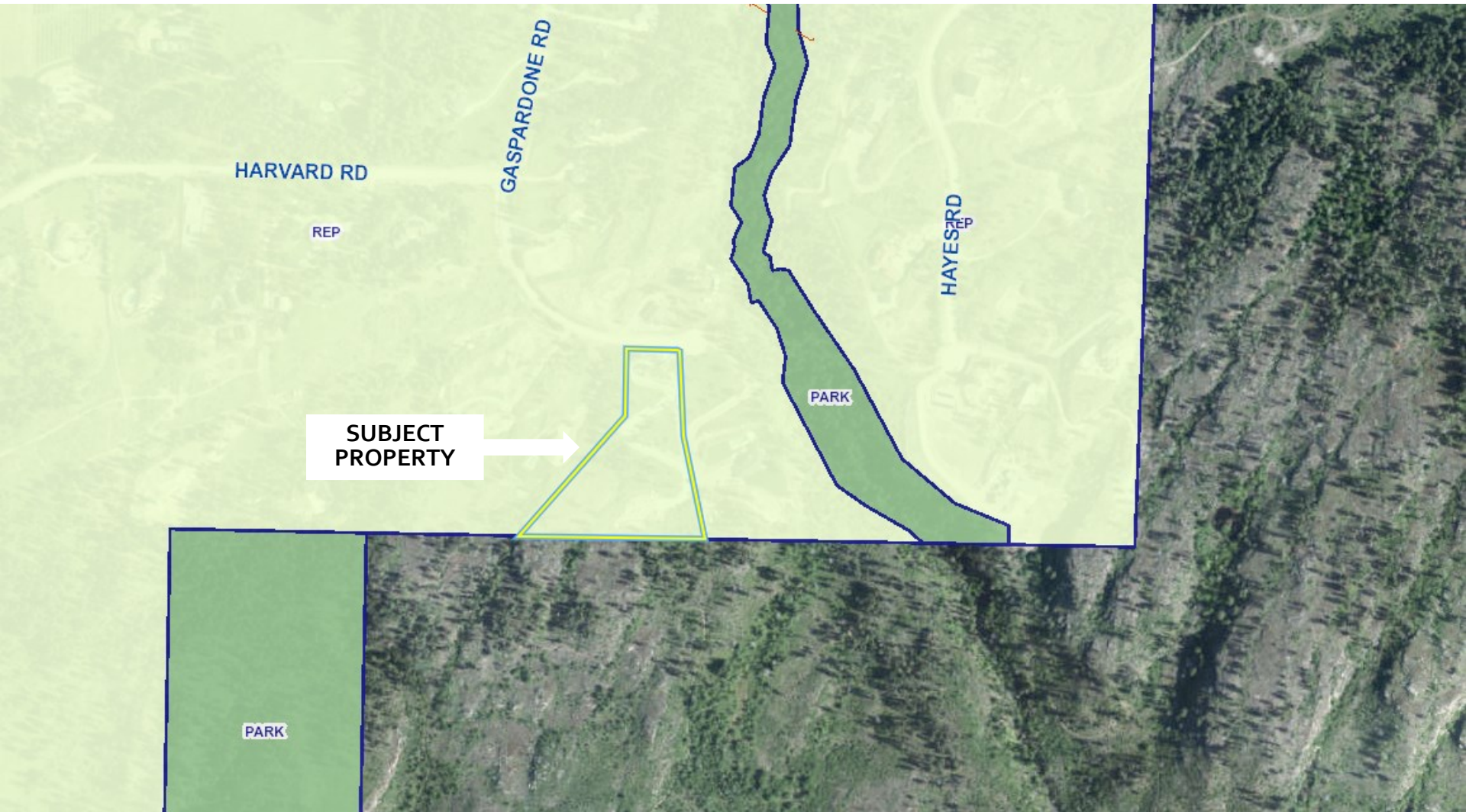
Building Permit

Council
Approvals

Context Map



OCP Future Land Use / Zoning



Subject Property Map



Project details

- ▶ The proposed carriage house is a single-storey structure.
- ▶ The structure will have an attached garage that will have a complete footprint of 149m²
- ▶ The subject property is outside of the Permanent Growth Boundary, however:
 - ▶ Not in or abutting ALR
 - ▶ Over 1.0ha in size
 - ▶ Does not disrupt ESAs

Site Photos



Carriage House Location—Facing East



Facing Principal Dwelling

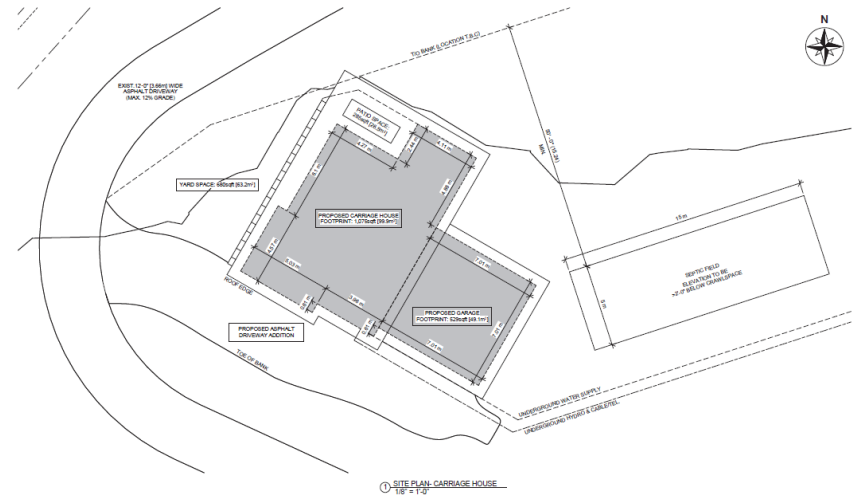
Site Photos



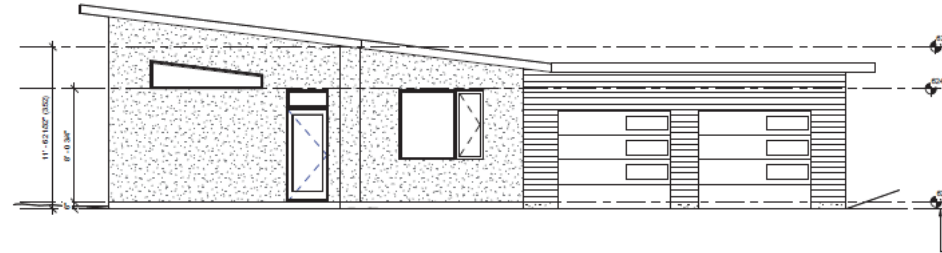
Carriage House Location—Facing West



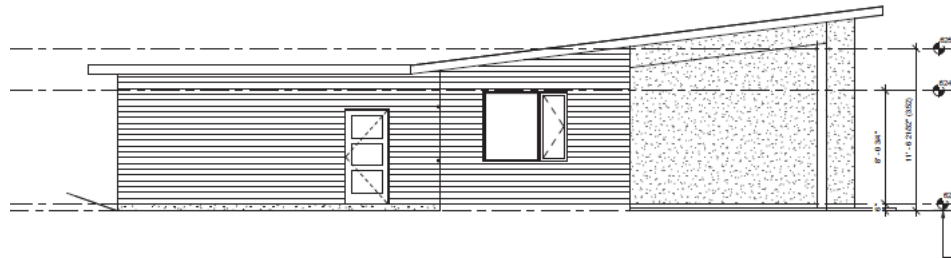
Facing Northwest



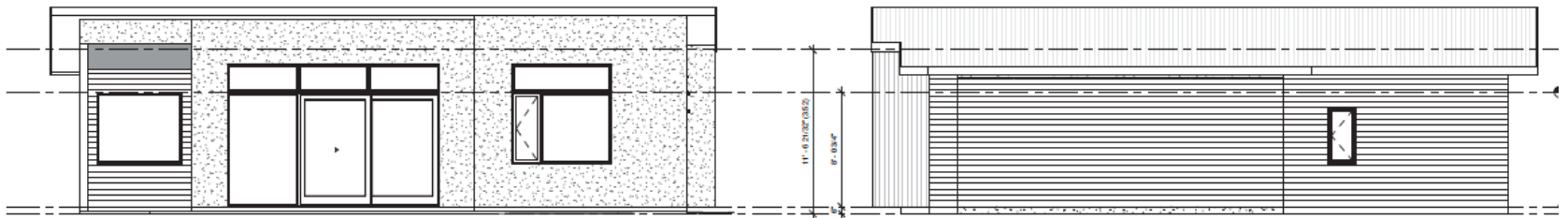
Conceptual Drawings



① South Elevation
1/4" = 1'-0"



② North Elevation
1/4" = 1'-0"



③ West Elevation
1/4" = 1'-0"

④ East Elevation
1/4" = 1'-0"

Staff Recommendation

- ▶ Development Planning Staff recommend **support** of the proposed Rezoning:
 - ▶ Subject property is not within Permanent Growth Boundary, however, does not disrupt any ESAs or the ALR.
 - ▶ Property is not serviced; however, it is over 1.0ha in size, which does not go against OBWB policies.



Conclusion of Staff Remarks

CITY OF KELOWNA
BYLAW NO. 12257
Z21-0057
4554 Gaspardone 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 Lot 8 Section 34 Township 29 ODYD Plan KAP78581 located on Gaspardone Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RR1c – Rural Residential 1 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

Public Hearing waived by the Municipal Council this

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

REPORT TO COUNCIL



Date: August 9, 2021

To: Council

From: City Manager

Department: Development Planning

Application: OCP21-0005/Z21-0010 **Owners:** Regional District of Central Okanagan, David and Laura Geen

Address: 1870 Mantle Court, 2903 Walburn Road, and 2975 Gallagher Road **Applicant:** Kent-Macpherson, Jordan Hettinga

Subject: Official Community Plan Amendment and Rezoning Application

Existing OCP Designation: PARK – Major Park/Open Space (public)
REP – Resource Protection Area

Proposed OCP Designation: PARK – Major Park/Open Space (public)
REP – Resource Protection Area

Existing Zone: A1 – Agriculture 1
P3 – Parks and Open Space

Proposed Zone: A1 – Agriculture 1
P3 – Parks and Open Space

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP21-0005 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation for a portion of Parcel A, Section 7, Township 27, ODYD, Plan KAP79441 located at 1870 Mantle Court, Kelowna, BC and The South West ¼ of Section 12, Township 26, ODYD, Except Plans 1380, B6800 and 20506 located at 2903 Walburn Road, Kelowna, BC from the PARK - Major Park/Open Space (public) designation to the REP – Resource Protection Area designation, and a portion of Lot A, Section 12, Township 26, ODYD, Plan EPP71625 located at 2975 Gallagher Road, Kelowna, BC from the REP – Resource Protection Area designation to the PARK - Major Park/Open Space (public) designation as shown on Map "A" attached to the Report from the Development Planning Department dated August 9, 2021 be considered by Council;

AND THAT Rezoning Application No. Z21-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for a portion of Parcel A, Section 7, Township 27, ODYD, Plan KAP79441 located at 1870 Mantle Court, Kelowna, BC and The South West ¼ of Section 12, Township 26, ODYD, Except Plans 1380, B6800 and 20506 located at 2903 Walburn Road, Kelowna, BC from the P3 – Parks and Open Space zone to the A1 – Agriculture 1 zone and a portion of Lot A, Section 12, Township 26, ODYD,

Plan EPP71625 located at 2975 Gallagher Road, Kelowna, BC from the A1 – Agriculture 1 zone to the P3 – Parks and Open Space zone as shown on Map “B” attached to the Report from the Development Planning Department dated August 9, 2021 be considered by Council;

AND THAT the Official Community Plan Amendment and Rezoning Bylaws be forwarded to a Public Hearing for further consideration;

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 August 9, 2021;

2.0 Purpose

To amend the Official Community Plan designations from PARK – Major Park/Open Space (public) to the REP – Resource Protection designation for a portion of 1870 Mantle Court and 2903 Walburn Road and from REP – Resource Protection to PARK – Major Park/Open Space (public) for a portion 2975 Gallagher Road. Also to rezone from P3 – Parks and Open Space to the A1 – Agriculture zone for a portion of 1870 Mantle Court and 2903 Walburn Road and P3 – Parks and Open Space to the A1 – Agriculture zone for a portion of 2975 Gallagher Road to accommodate the enhancement of the Scenic Canyon Regional Park and adjacent agricultural land.

3.0 Development Planning

Staff recommend support for the proposed Official Community Plan (OCP) and Rezoning amendments to facilitate the land exchange to enhance park and agricultural land between the three properties. The overall proposal is in cooperation with the current landowner, Regional District of Central Okanagan, and the City of Kelowna. The joint effort provides a net benefit to regional park users, environmental conservation, and enhancement of agriculture.

The proposal meets several agricultural objectives of the OCP through expansion of an existing 40-acre farm operation by adding adjacent underutilized lands to be improved for farm production. The Scenic Canyon Regional Park will see a net gain of land of approximately 1.36 ha and have improved legal boundaries for accessibility and trail connections through the regional park.

Staff have reviewed this application, and it may move forward without affecting either the City’s Financial Plan or Waste Management Plan.

4.0 Proposal

4.1 Project Description

The three subject properties are located in the Black Mountain and South East Kelowna area adjacent to the Mission Creek Canyon and include the Jealous Fruits Cherry agricultural operation. The three subject properties, one owned by the Geen family (61.3 ha) and two by the Regional District of Central Okanagan (9.1 ha and 46.6 ha) are a total of 117 ha acres in size. The proposal is a land exchange which involves the transfer of 8.67 ha of land from the RDCO’s to the Geen family to include in their agricultural operation. In exchange, the RDCO would receive 10.03 ha of land to expand the Scenic Canyon Regional Park and improve trail access. The exchange would also include approximately 0.86 ha of land for a Statutory Right-of-Way for access for maintenance over the private property.

The boundary adjustment will result in three properties, one large parcel owned by the RDCO, and two parcels owned by the Geen family. The subject properties are partially within the Agricultural Land Reserve (ALR). The proposed boundary adjustment subdivision to accommodate the land exchange requires approval from a City Approving Officer. Because the properties are partially within the ALR the subdivision will be considered under Part 2, Section 3 of the ALC Act and Agricultural Land Reserve General Regulation - 57/2020. This provision would allow the Approving Officer to approve the subdivision if it is considered to enhance farming on the agricultural land. Potential house locations on the privately owned land will be located outside of the ALR and within a residential footprint covenant.

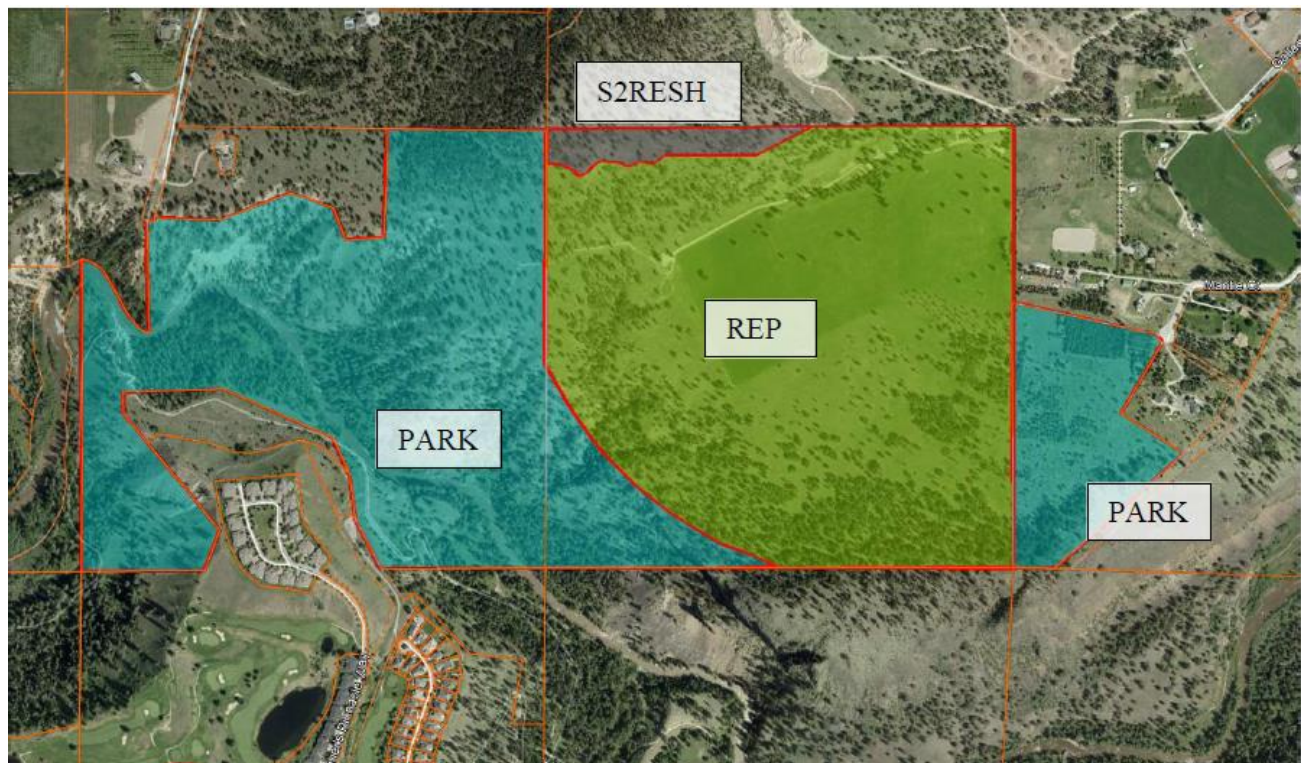
4.2 Site Context

The subject properties are located in the Belgo – Black Mountain and Southeast Kelowna City Sector, and include part of the Mission Creek Canyon. The three properties are accessed from three separate roads, Walburn Road, Mantle Court, and Gallagher Road.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Rural Residential/Kirschner Mtn
East	A1- Agriculture 1	Rural Residential
South	P3 – Park and Open Space	Scenic Canyon Park
West	A1 – Agriculture 1 /P3 – Park and Open Space	Scenic Canyon Park/Rural Residential

Subject Property Map: 2903 Walburn Road/1870 Mantle Court/2975 Gallagher Road (Current OCP)



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 4 – Land Use Designation Definitions

Resource Protection Area

Generally, land areas within this designation (whether they are within the permanent growth boundary or not) will not be supported for exclusion from the ALR or for more intensive development than that allowed under current zoning regulations, except in specific circumstances where the City of Kelowna will allow exceptions to satisfy civic objectives for the provision of park/recreation uses.

Chapter 5 - Development Process

Agricultural Land Use Policies

Objective 5.33 Protect and enhance local agriculture.

Policy .1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

Park Land Use Policies

Objective 5.14 Provide parks for a diversity of people and a variety of uses.

Environmental Land Use Policies

Objective 5.15 Ensure environmental sustainable development.

Policy .7 Protection Measures. Protect and preserve environmental sensitive areas using dedication as a City park or trail where the area complements the goals and objectives of sustainable development.

6.0 Technical Comments

6.1 Development Engineering Department

- Refer to Development Engineering Memo dated February 9, 2021.

7.0 Application Chronology

Date of Application Accepted: February 4, 2021

Date Public Consultation Completed: June 30, 2021

Report prepared by:	Wesley Miles, Planner Specialist
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Approved for Inclusion:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Development Engineering Memorandum

Attachment A: Site Plan/Rationale

Map A: OCP Amendment
Map B: Zoning Amendment

CITY OF KELOWNA
MEMORANDUM

Date: February 9, 2021
File No.: Z21-0010
To: Community Planning (DS)
From: Development Engineering Manager (JK)
Subject: 1870 Mantle Ct & 2903 Walburn Rd
2975 Gallagher Rd

P3 to A1
A1 to P3

The Development Engineering Branch has the following comments and requirements associated with this Rezoning application.

1. General

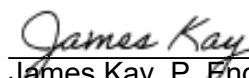
- a. The following requirements are valid for two (2) years from the reference date of this memo or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- b. The areas of 2975 Gallagher Rd and 2903 Walburn Rd which are within the ALR are subject to review and requirements from the Agricultural Land Commission.
- c. Should the Owner(s) consider developing the subject lot(s) at a future date, the Development Engineering Branch will need to provide additional comments and requirements at the time of official development application circulation.

2. Storm Drainage

- a. Any existing easements, covenants, or SRWs registered for storm drainage purposes are to be maintained.

3. Power and Telecommunication Services

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

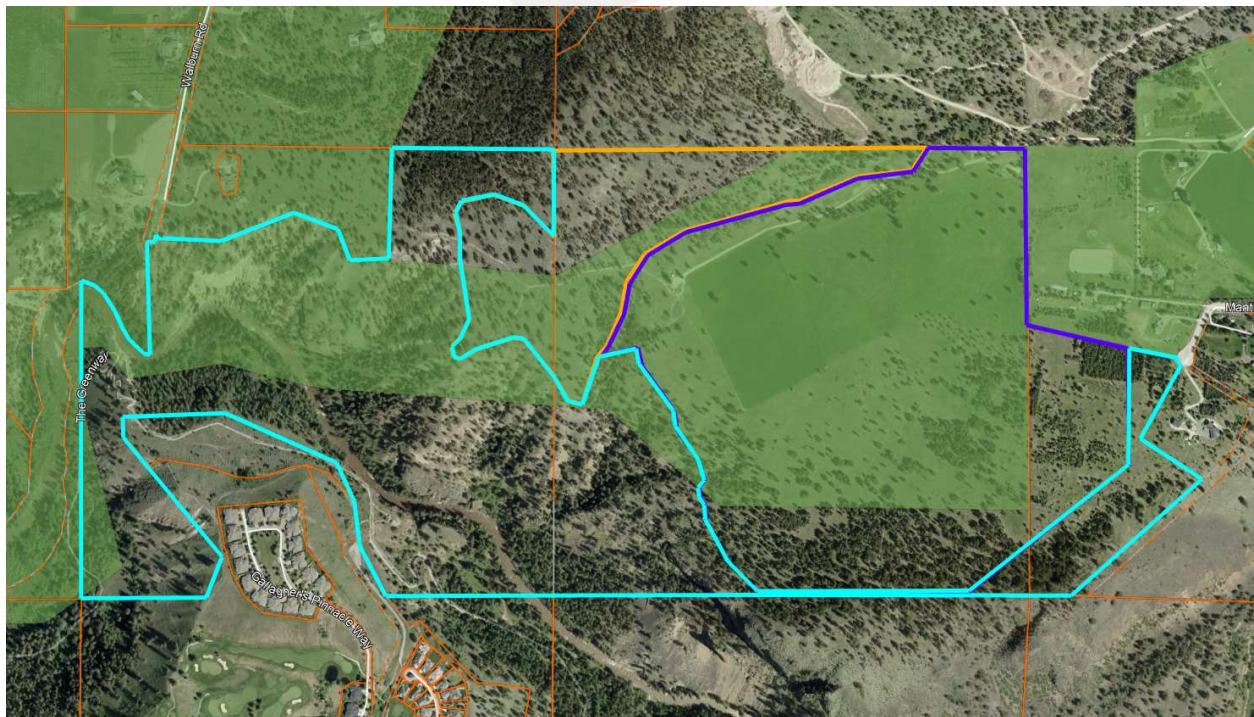

James Kay, P. Eng.
Development Engineering Manager

SK



RDCO & Jealous Fruits
2903 Walburn Road, 2975 Gallagher Road &
1870 Mantle Court, Kelowna, BC
OCP Amendment, Rezoning
& Technical Subdivision Application

PREPARED FOR:
City of Kelowna



Kent Macpherson

COVER LETTER





January 14, 2021

Current Planning Department
City of Kelowna
1435 Water Street
Kelowna, BC, V1Y 1J4

Attention: Ryan Smith, Approving Officer

**Re: Technical Subdivision Application
2903 Walburn Road, 2975 Gallagher Road & 1870 Mantle Court, Kelowna
South West ¼ of Section 12 Township 26 ODYD except Plans 1380 B6800 and
20506, Lot A Section 12 Township 26 ODYD Plan EPP71625 & Parcel A
Section 7 Township 27 ODYD Plan KAP79441 1350 & 1370 KLO Road,
Kelowna – Lot 15, Plan 10710, except Plan KAP79079,**

Applicant: Regional District of Central Okanagan and Jealous Fruits

Please accept this letter as our formal request to realign the property lines between three properties at: 2903 Walburn Road, 2975 Gallagher Road, and 1870 Mantle Court. This subdivision will allow for the enhancement of the owner's (Jealous Fruits) overall farm, while simultaneously enhancing Scenic Canyon Regional Park by increasing accessibility and size of the park owned by the Regional District.

Concurrently with the subdivision, we are requesting OCP Amendments and Rezoning's as follows:

2903 Walburn Road:

- OCP Amendment from Major Park & Open Space to Resource Protection Area (3.76 Hectares)
- Rezoning from P3 to A1 (3.76 Hectares)

2975 Gallagher Road:

- OCP Amendment from Resource Protection Area to Major Park & Open Space (4.81 Hectares)
- Rezoning from A1 to P3 (10.03 Hectares)

1870 Mantle Court:

- OCP Amendment from Major Park & Open Space to Resource Protection Area (4.91 Hectares)
- Rezoning from P3 to A1 (4.91 Hectares)

This application follows Policy #12, Section 10 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation.

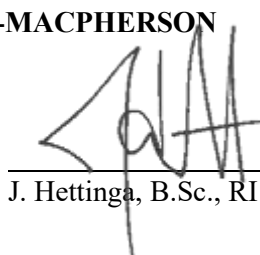
Finally, as part of this application, we would like to identify home sites on each parcel that will remain under private ownership. The homesites have been located in areas with limited agricultural capability, while remaining in strategic locations to oversee the farming opportunity. Both homesites are also located outside of the Agricultural Land Reserve.

If you have any questions pertaining to this application, please do not hesitate to contact me.

Sincerely,

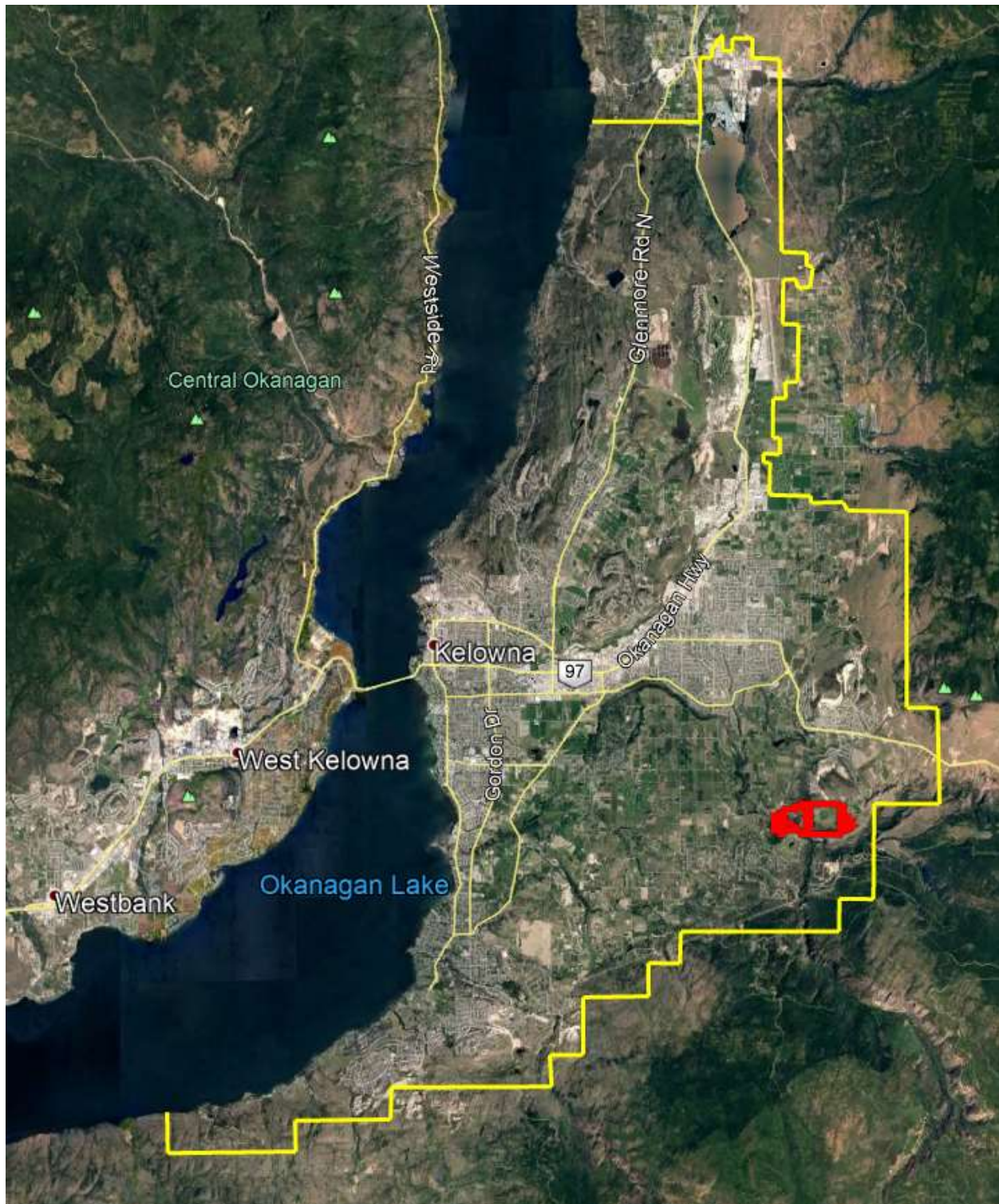
KENT-MACPHERSON

Per:


J. Hettinga, B.Sc., RI

PROPERTY LOCATION




 SUBJECT PROPERTIES

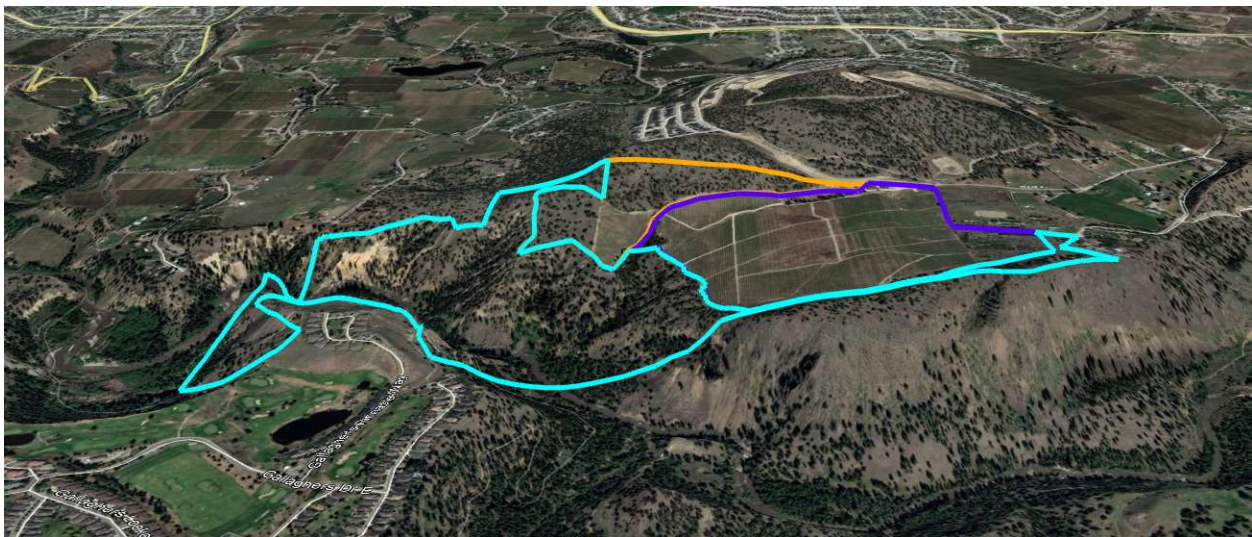
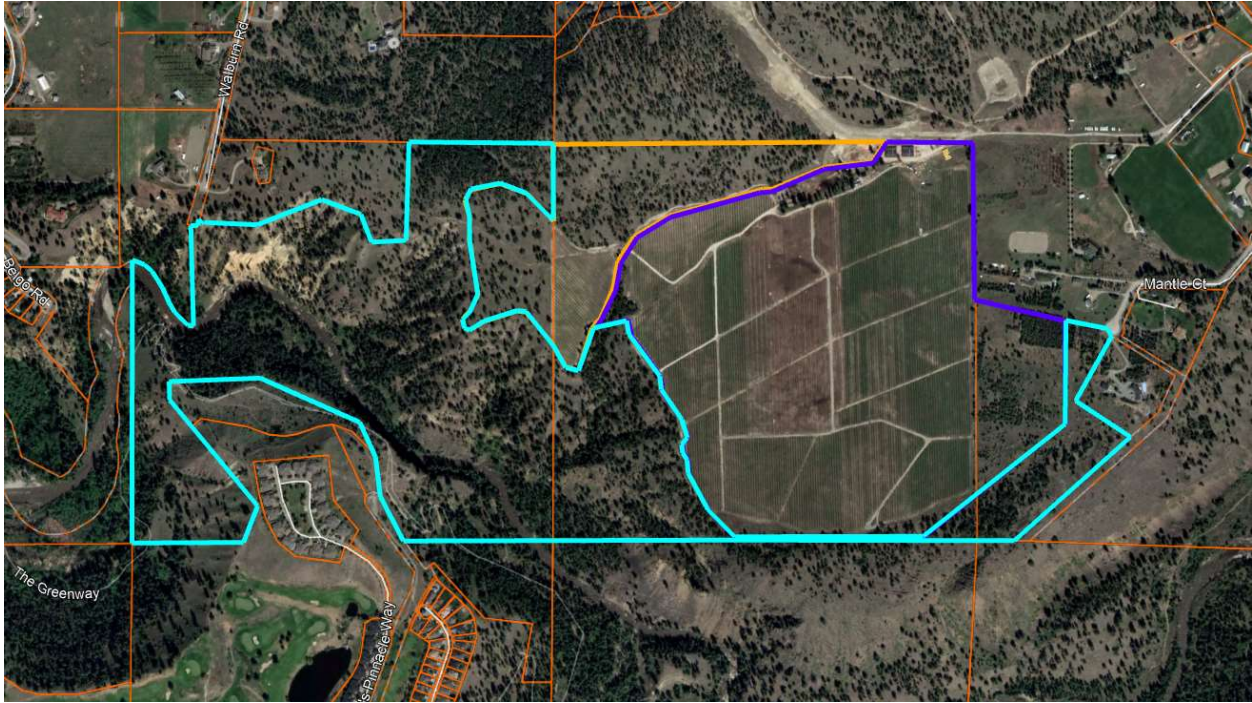


PROPOSED SUBDIVISION

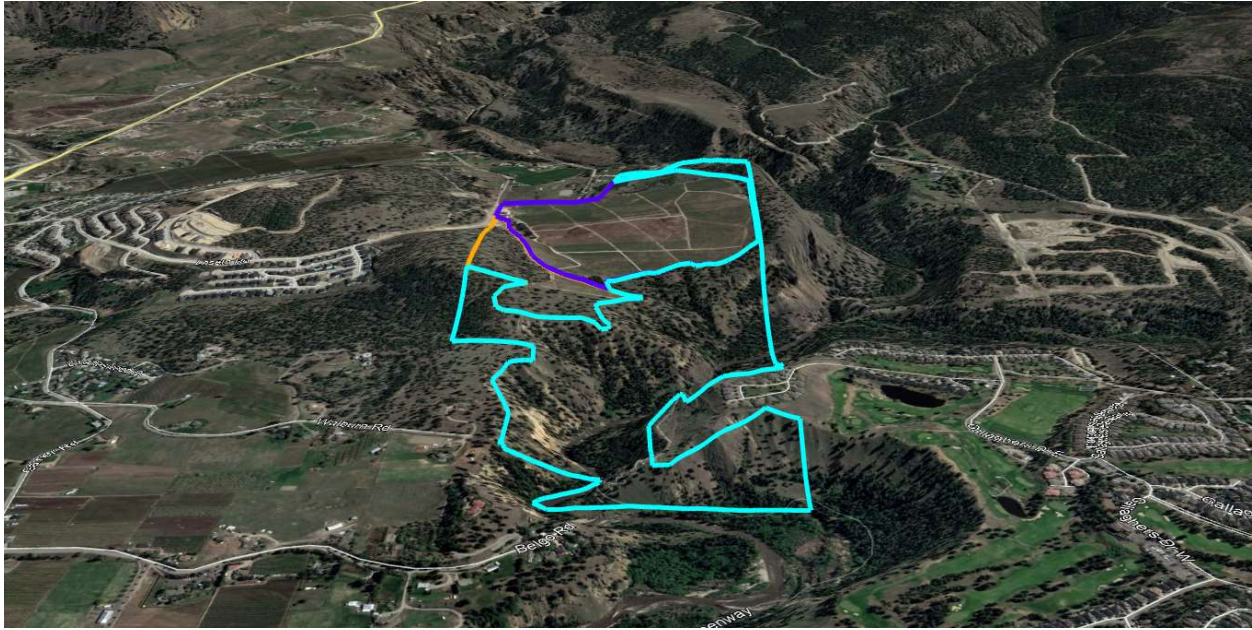


SUBDIVISION

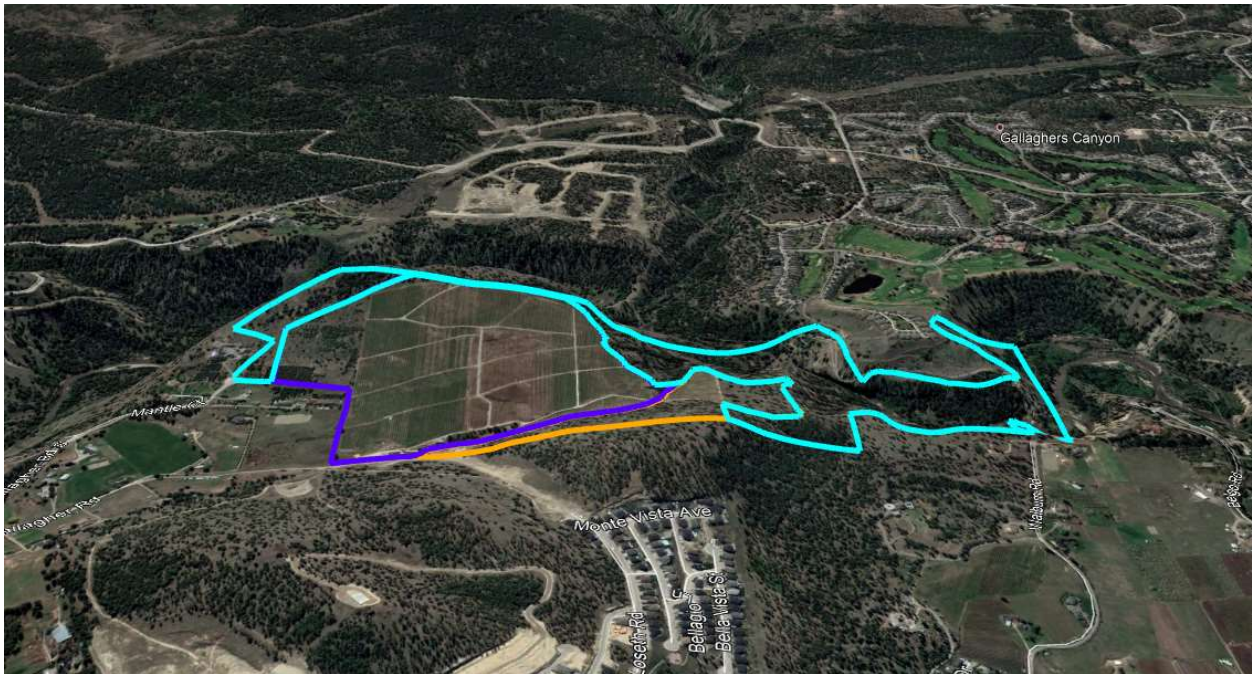
-  *Jealous Fruits – Parcel 1*
-  *Jealous Fruits – Parcel 2*
-  *RDCO – Parcel 3*



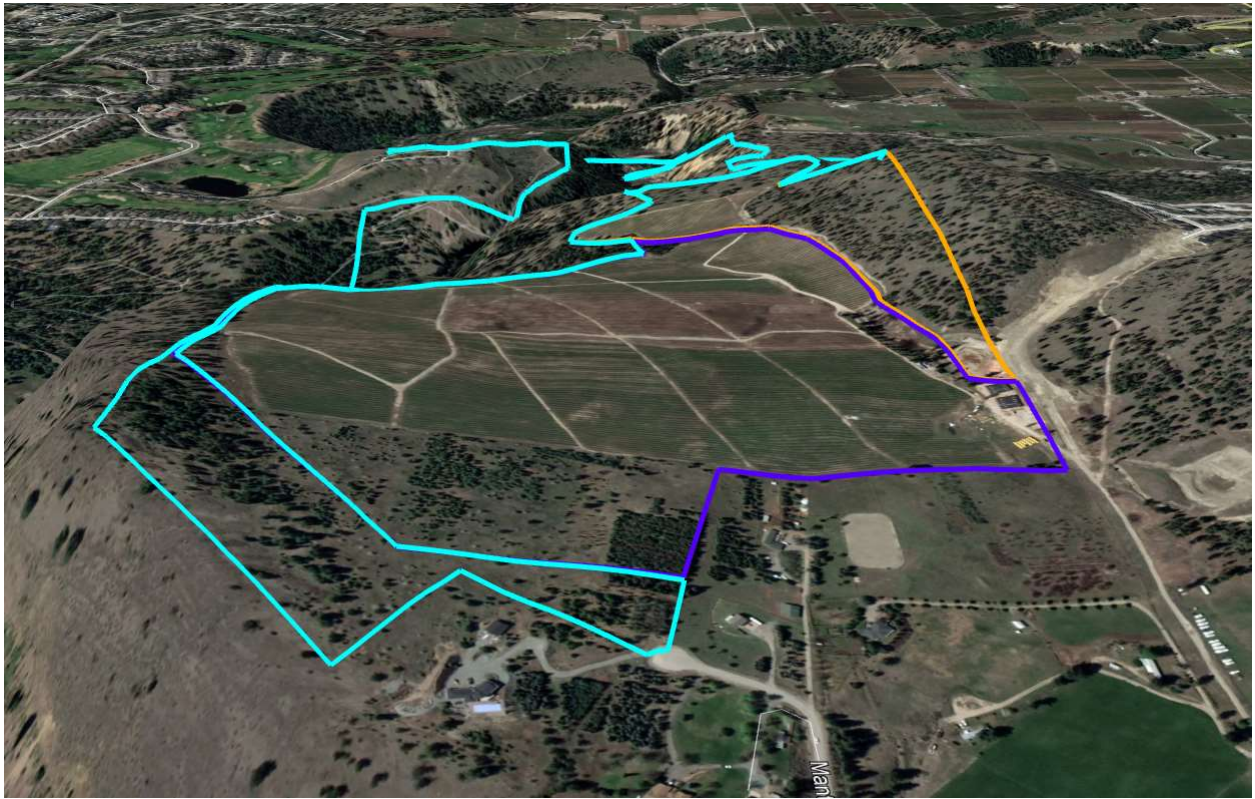
Looking North



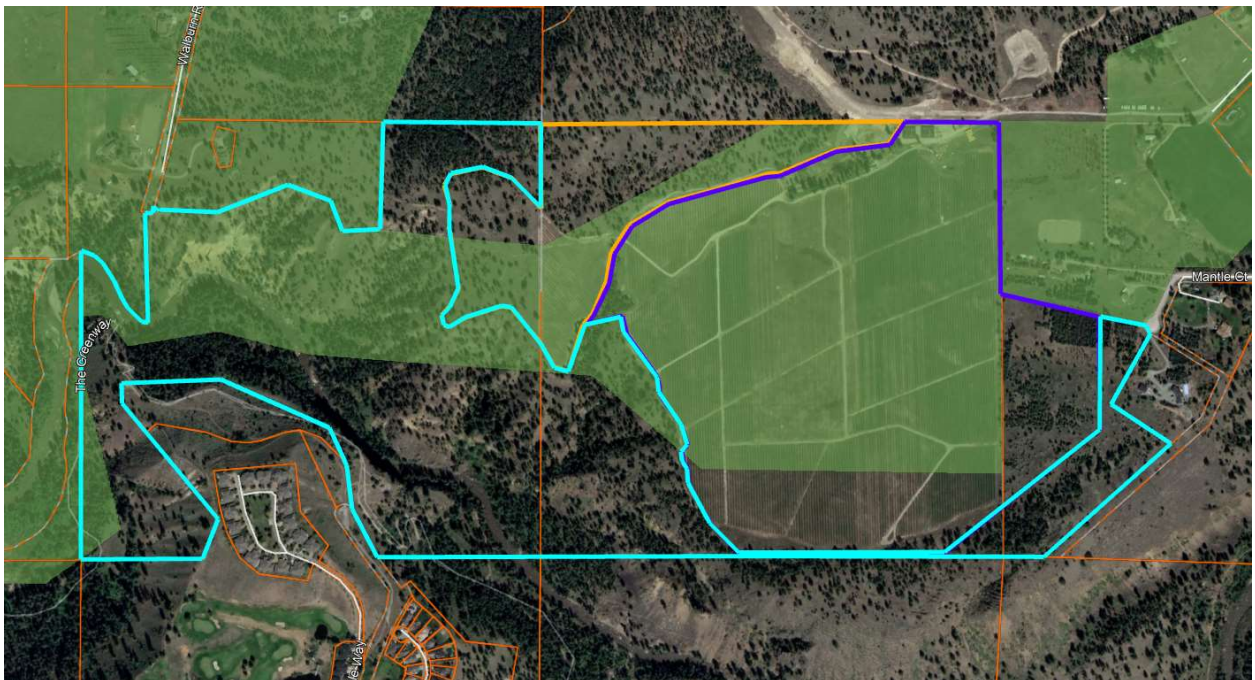
Looking East



Looking South



Looking West



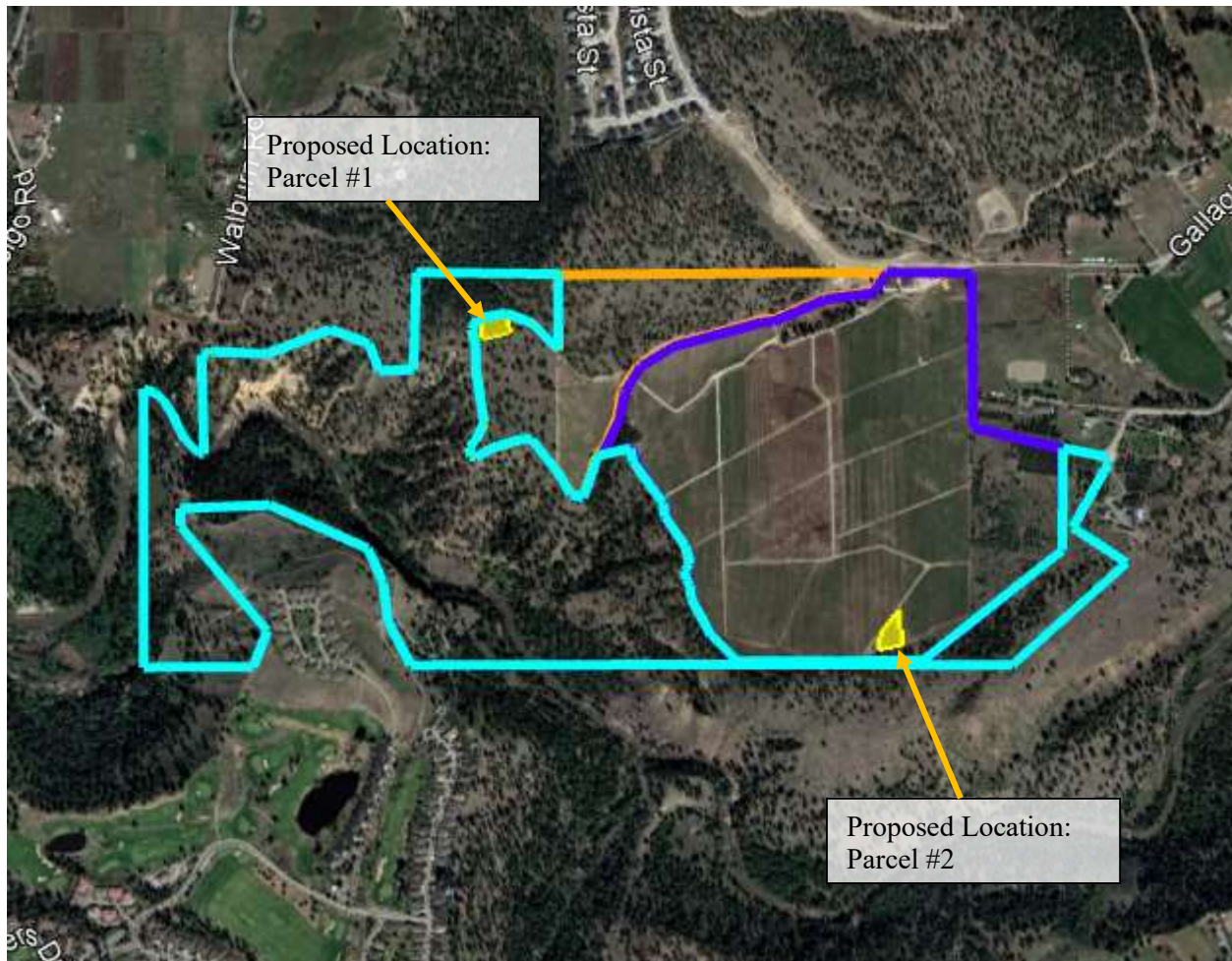
Subdivision with ALR shown in Green

PROPOSED HOMSITE LOCATIONS



PROPOSED HOMESITES

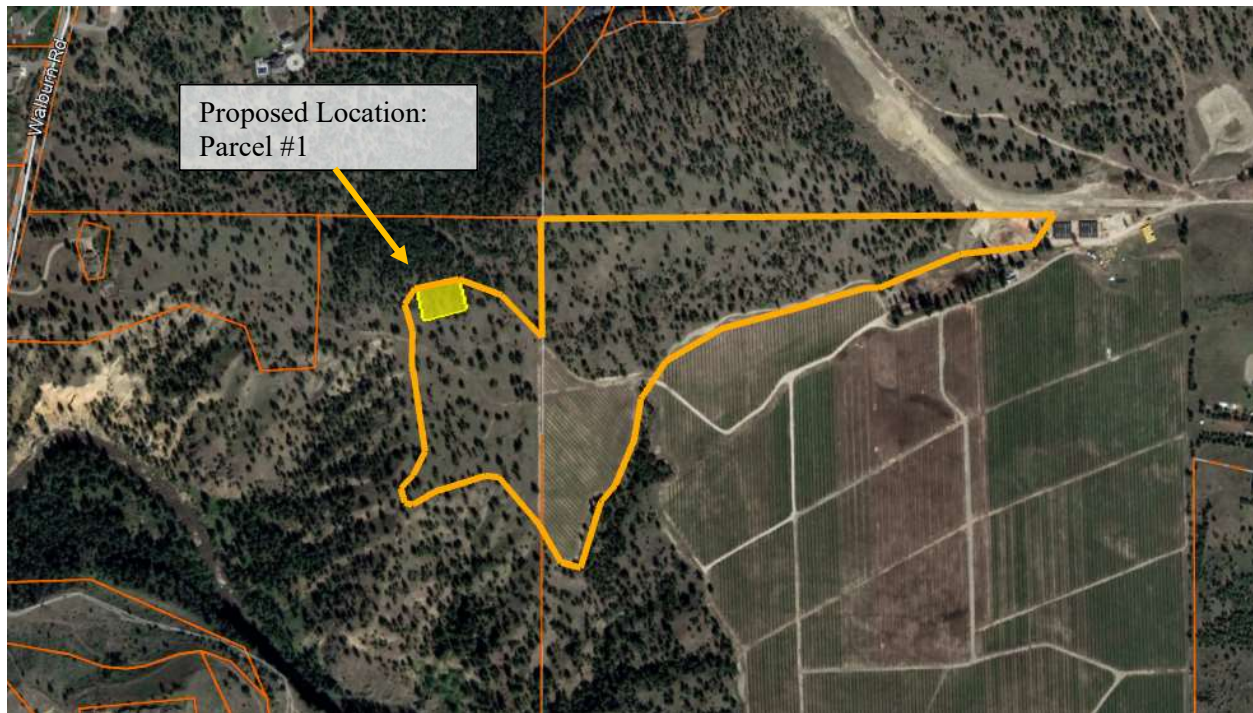
 **PROPOSED LOCATIONS**



PROPOSED HOMESITE PARCEL #1



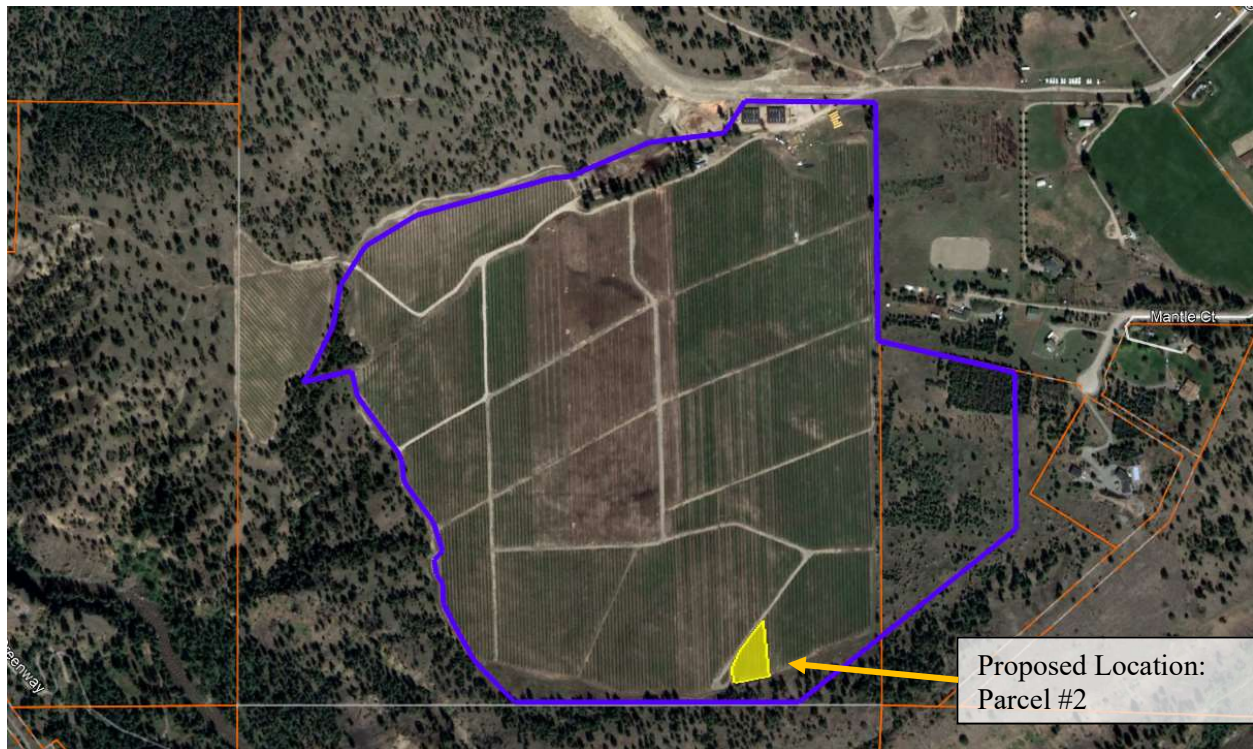
PROPOSED LOCATION



PROPOSED HOMESITE PARCEL #2



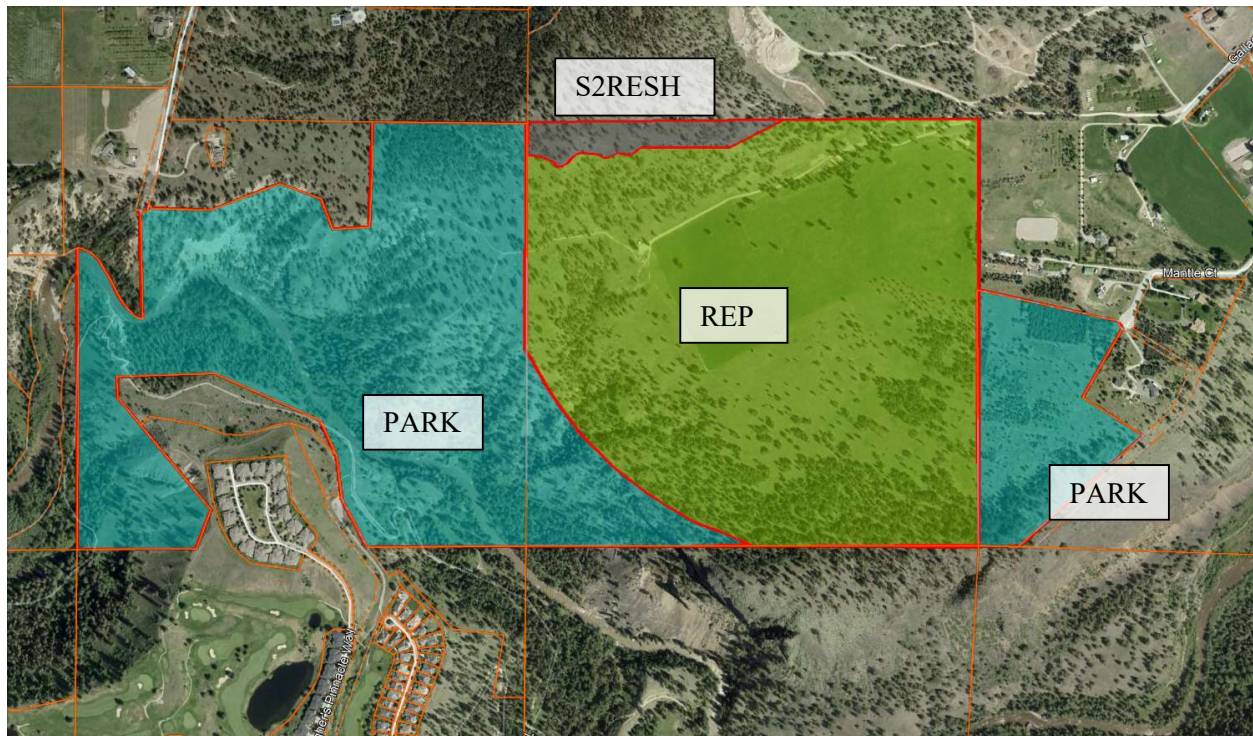
PROPOSED LOCATION



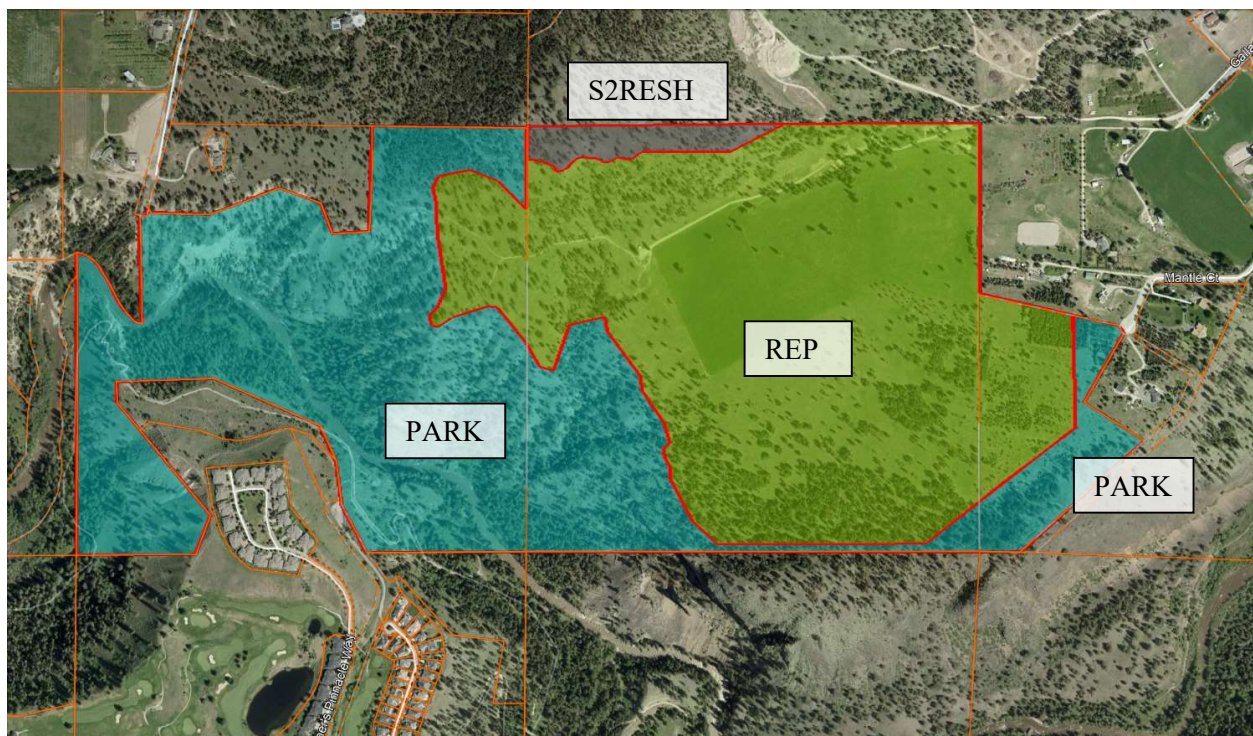
PROPOSED OCP AMENDMENT



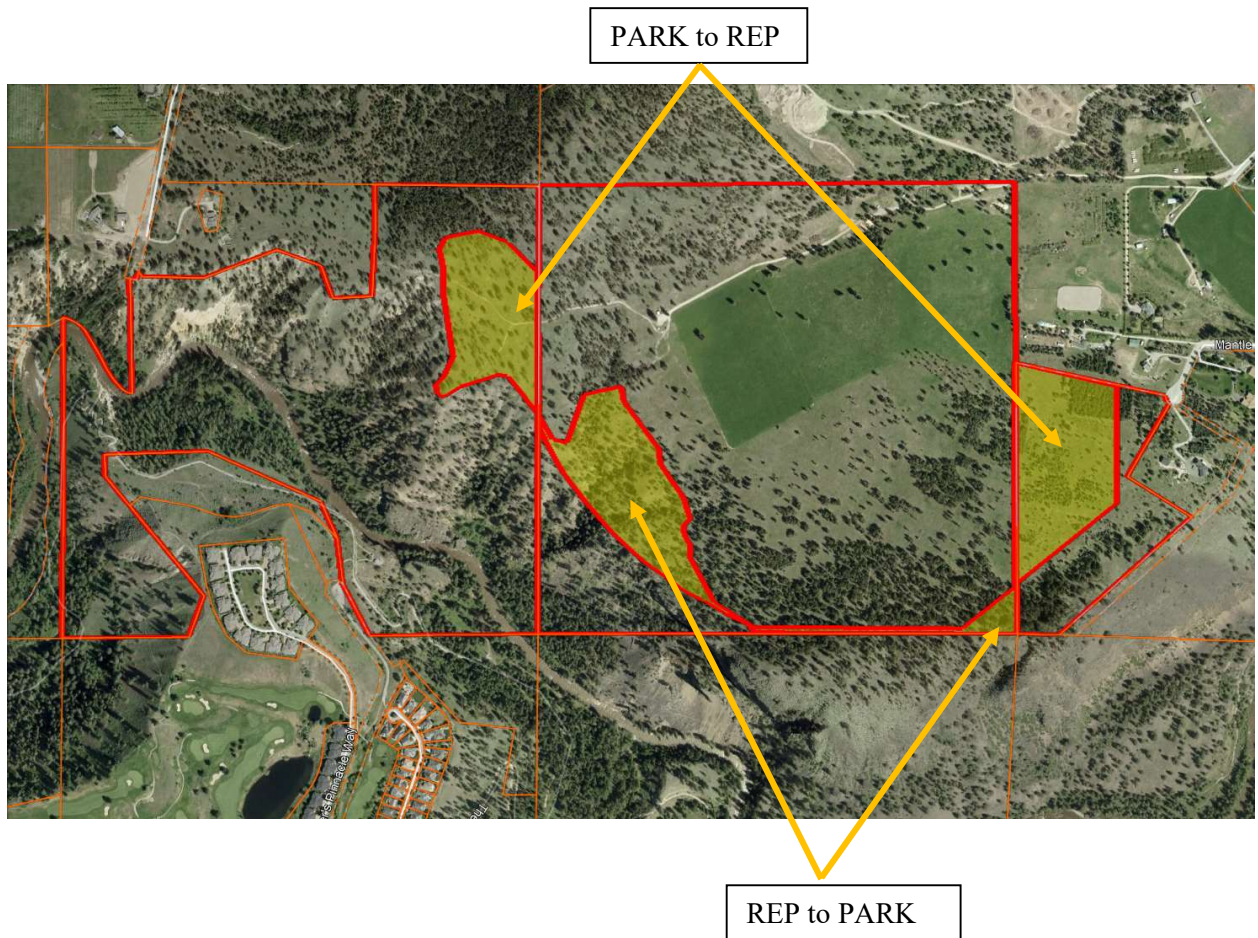
CURRENT OCP



PROPOSED OCP



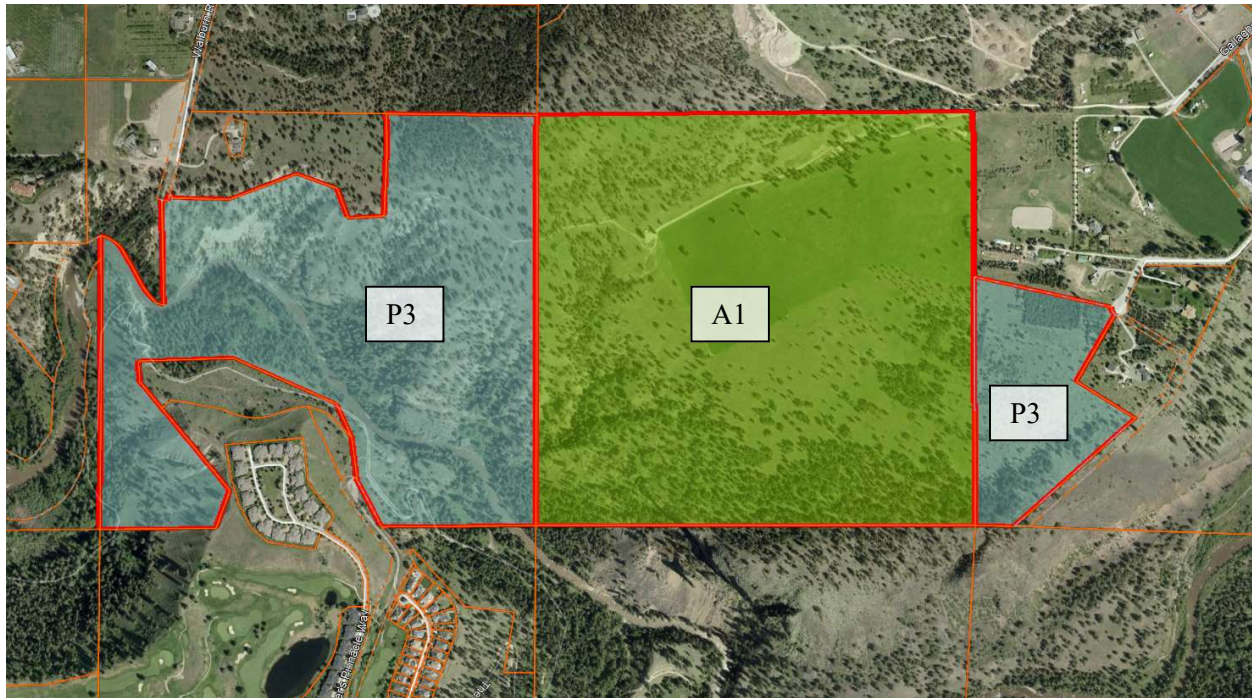
OCP AMENDMENT AREAS



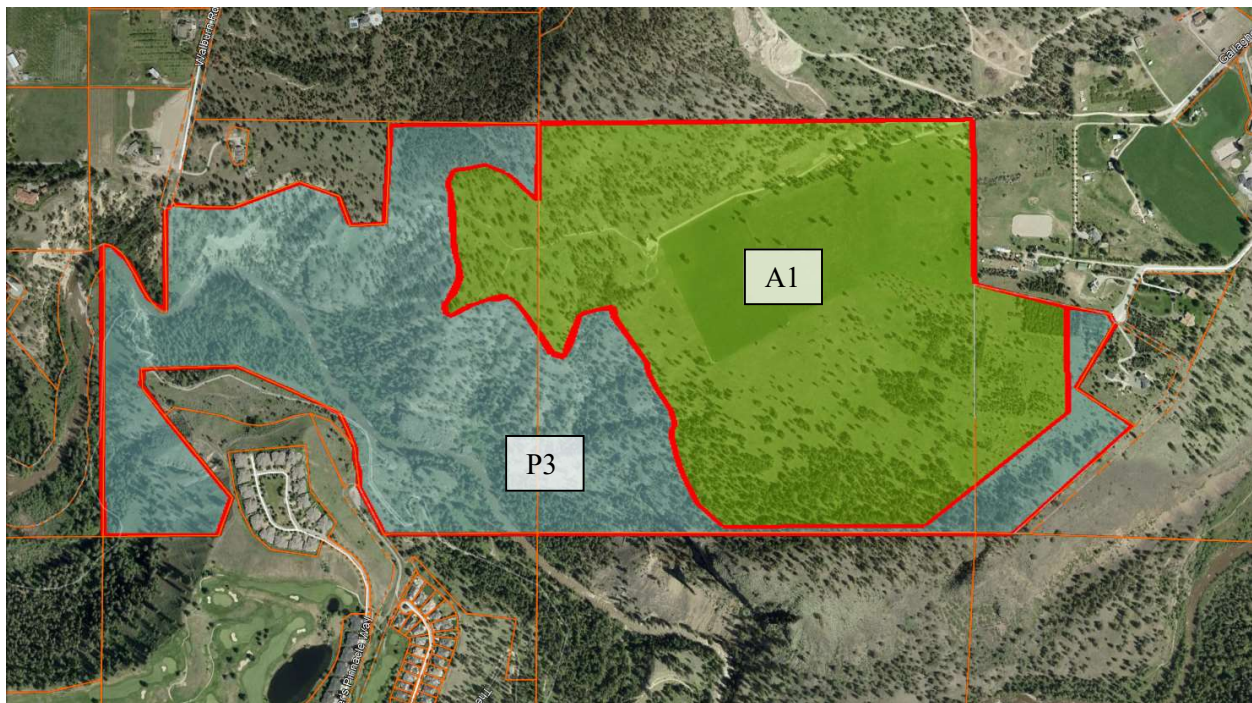
PROPOSED REZONING



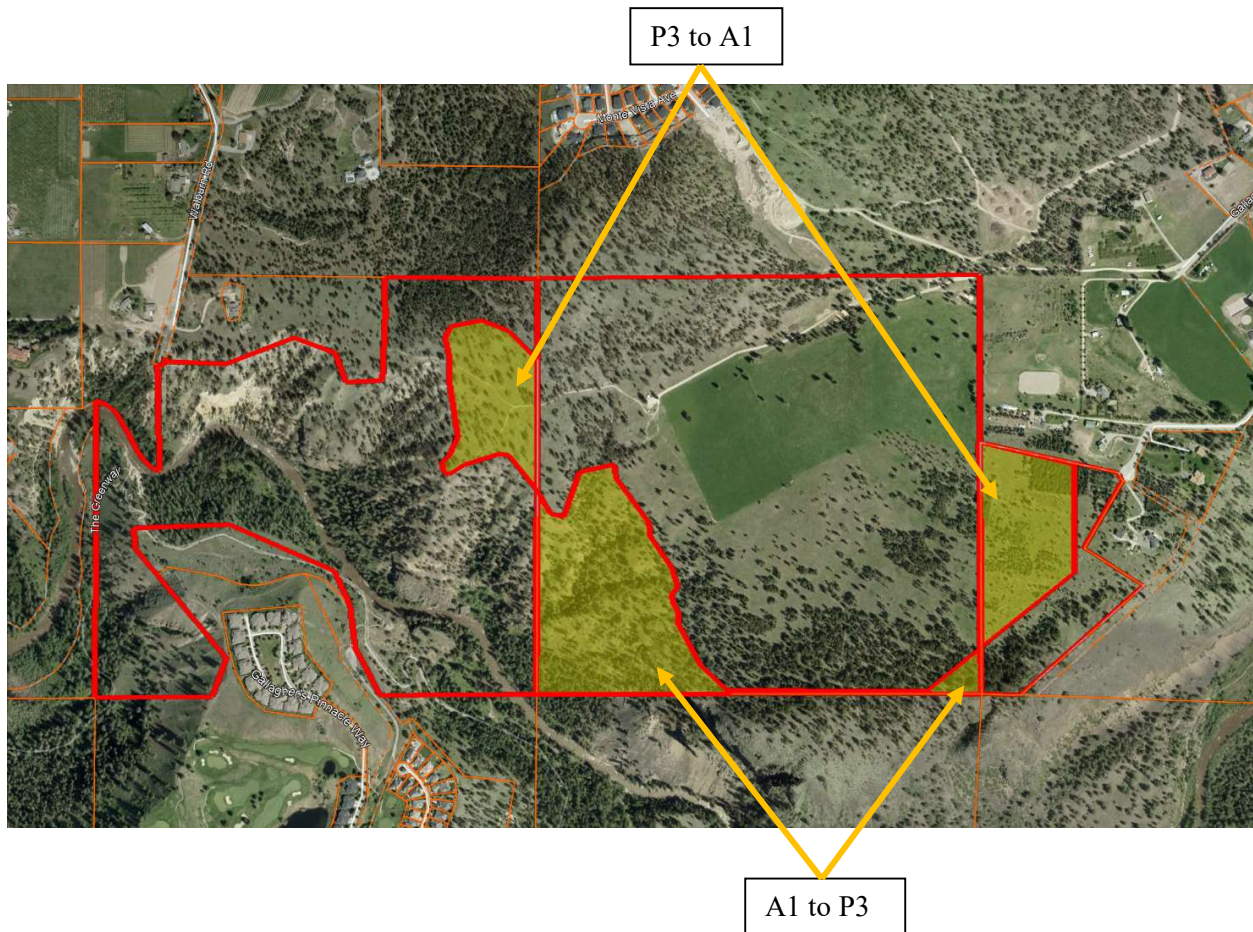
CURRENT ZONING



PROPOSED ZONING



REZONING AREAS

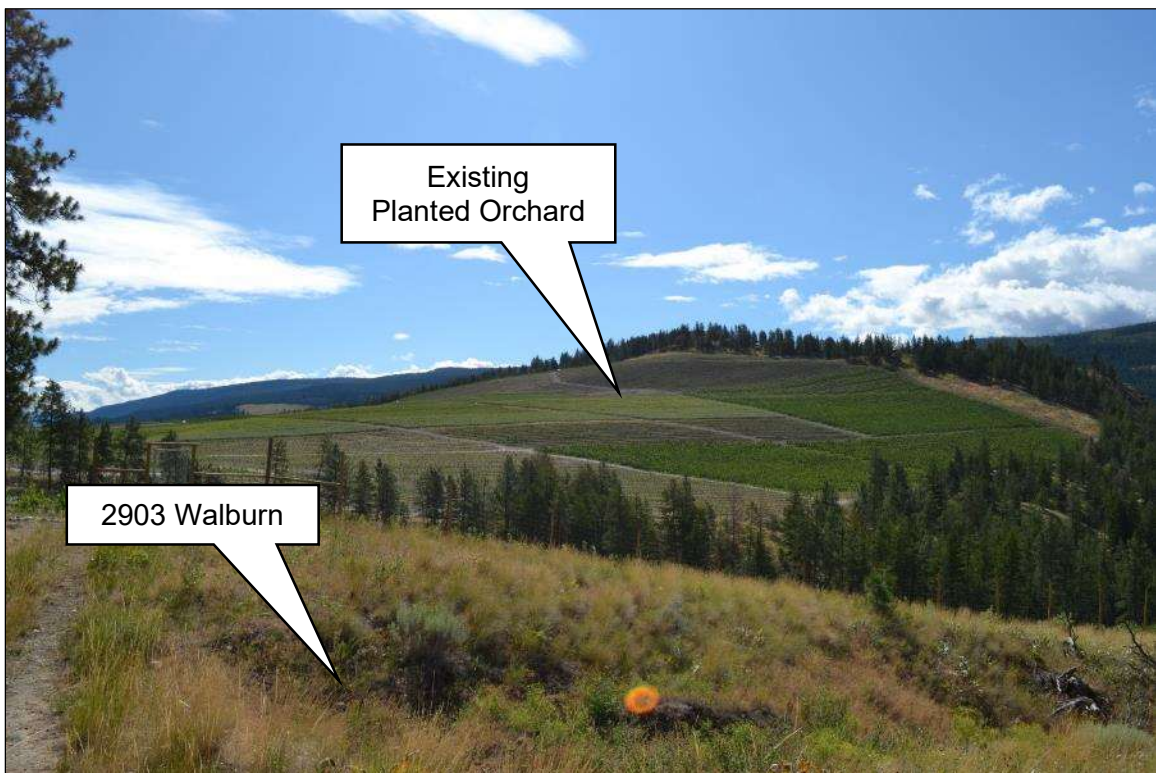


SITE PHOTOGRAPHS





Typical view of future farm land on 2903 Walburn Road.



Typical view of future farm land on 2903 Walburn Road and 2975 Gallagher Road.



Typical views of 2903 Walburn Road to remain as park.





Typical view of planted orchard on 2975 Gallagher Road (photograph taken April 2020).



Typical views of planted orchard on 2975 Gallagher Road (photographs taken April 2020).



Typical photographs of future park portion of 2975 Gallagher Road (photographs taken April 2020).



Typical photographs of future park area on 2975 Gallagher Road (photographs taken April 2020).





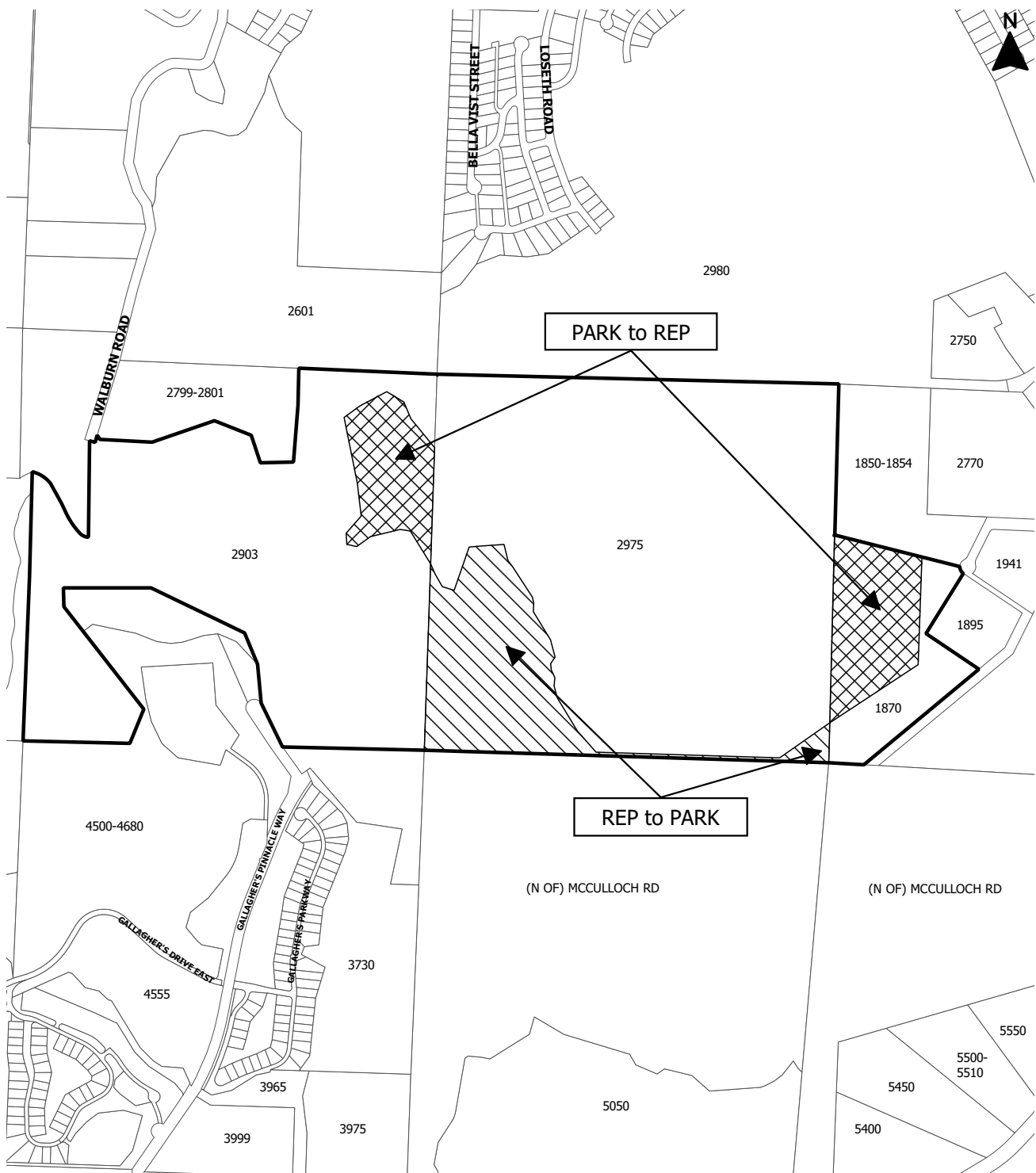
Typical views of future farm on 1870 Mantle Court.








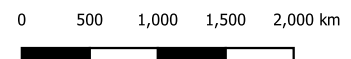
Photograph looking North over 2975 Gallagher Road, toward current easement and future road over adjoining property

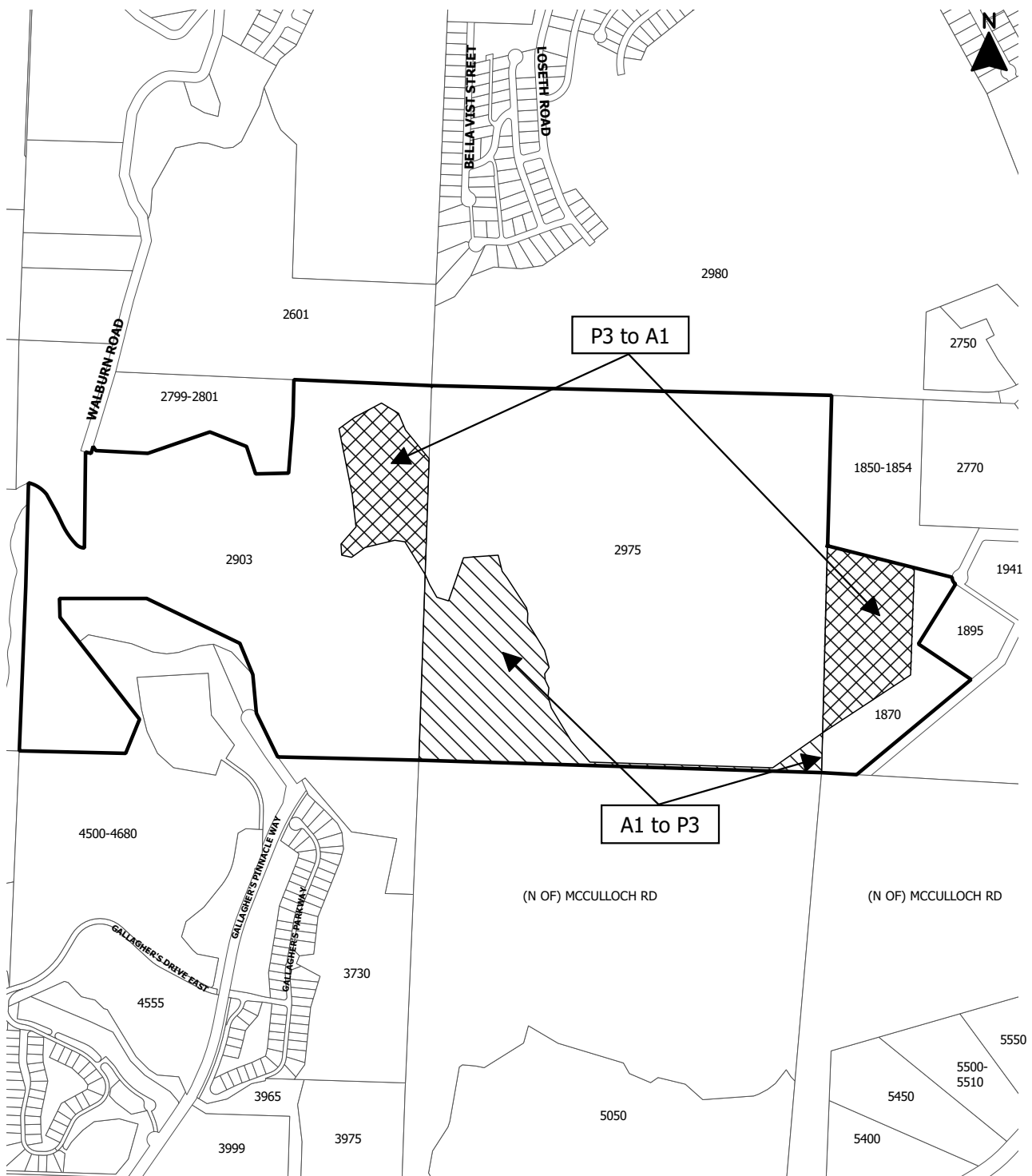







MAP "A" OCP AMENDMENT File OCP21-0005

-  PARK to Resource Protection Area (REP)
-  Resource Protection Area (REP) to PARK
-  Subject Properties





MAP "B" REZONING File Z21-0010

-  A1 - Agriculture 1 to P3 - Parks and Open Space
-  P3 - Parks and Open Space to A1 - Agriculture 1
-  Subject Properties



0 500 1,000 1,500 2,000 km





OCP21-0005 & Z21-0010 1870 Mantle, 2903 Walburn and 2975 Gallagher

OCP Amendment & Rezoning Application

Proposal

- ▶ To amend the Official Community Plan designations from PARK – Major Park/Open Space (public) to the REP – Resource Protection designation for a portion of 1870 Mantle Court and 2903 Walburn Road and from REP – Resource Protection to PARK – Major Park/Open Space (public) for a portion 2975 Gallagher Road.
- ▶ To rezone from P3 – Parks and Open Space to the A1 – Agriculture zone for a portion of 1870 Mantle Court and 2903 Walburn Road and P3 – Parks and Open Space to the A1 – Agriculture zone for a portion of 2975 Gallagher Road to accommodate the enhancement of the Scenic Canyon Regional Park and adjacent agricultural land

Development Process

Feb 4, 2021

Development Application Submitted

Staff Review & Circulation

June 30, 2021

Public Notification Received

Aug 9, 2021

Initial Consideration

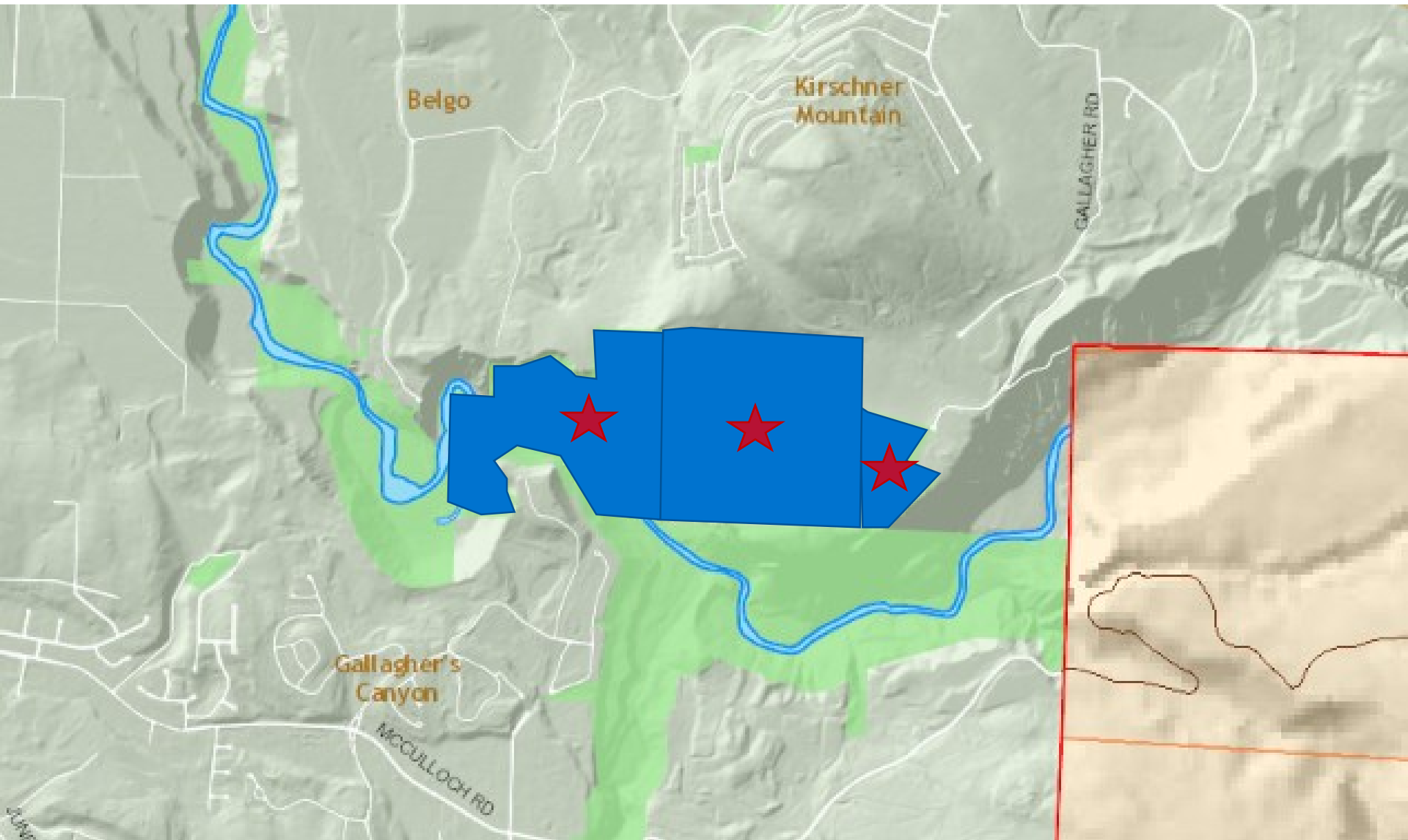
Public Hearing
Second & Third Readings

Final Reading

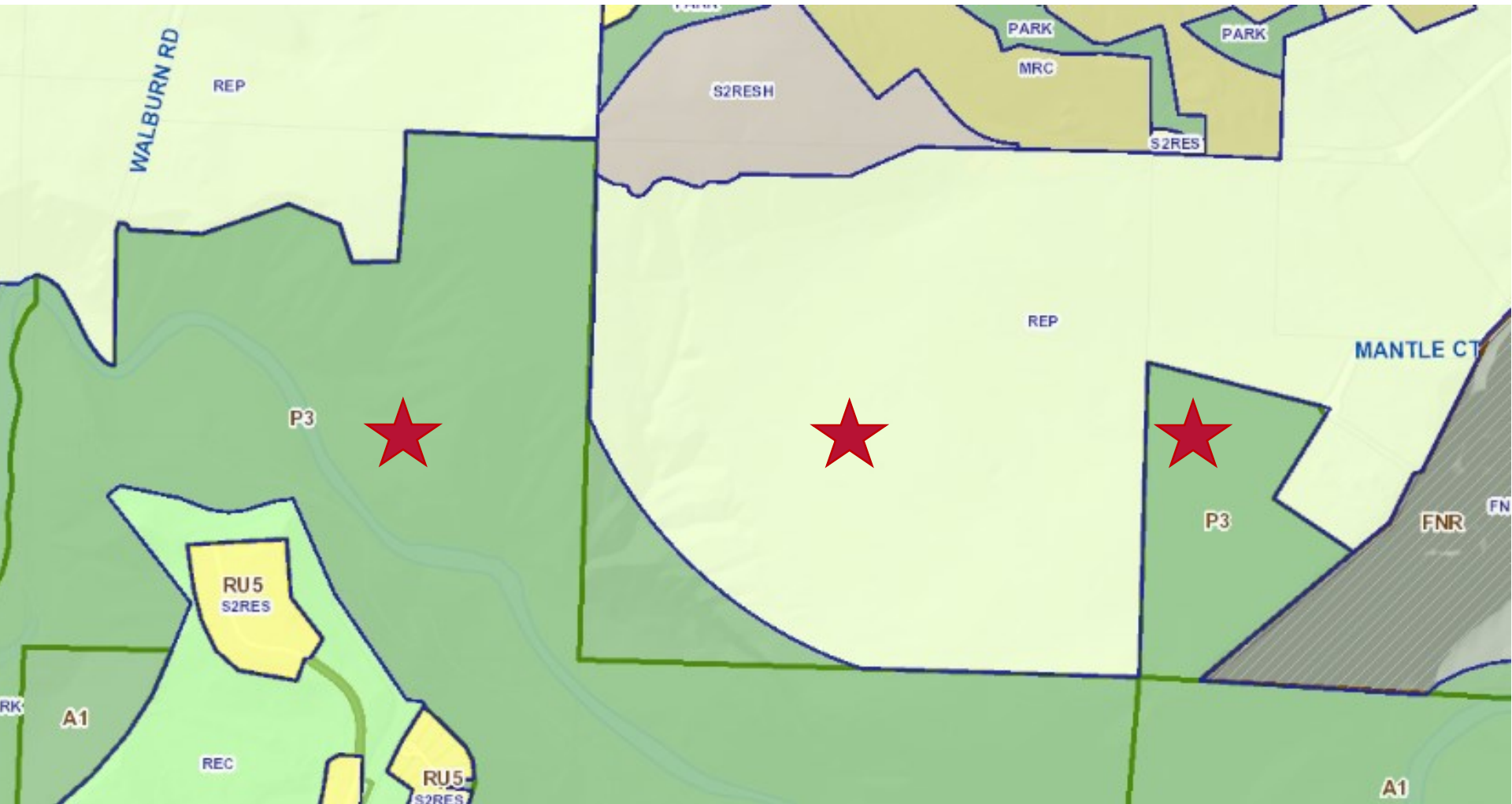
Subdivision & Development Permit

Council
Approvals

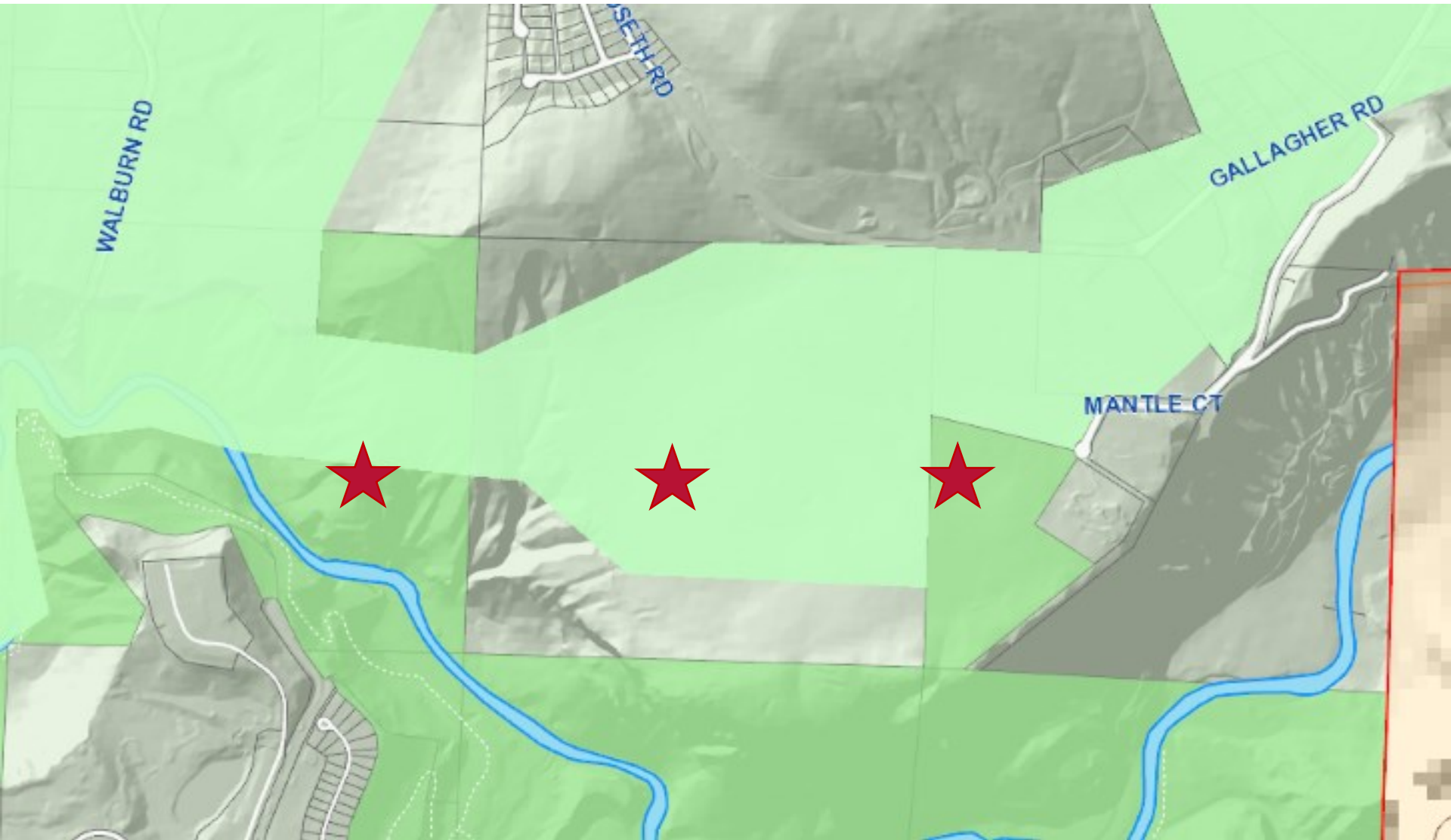
Context Map



OCP Future Land Use / Zoning



Agricultural Land Reserve



Subject Property Map






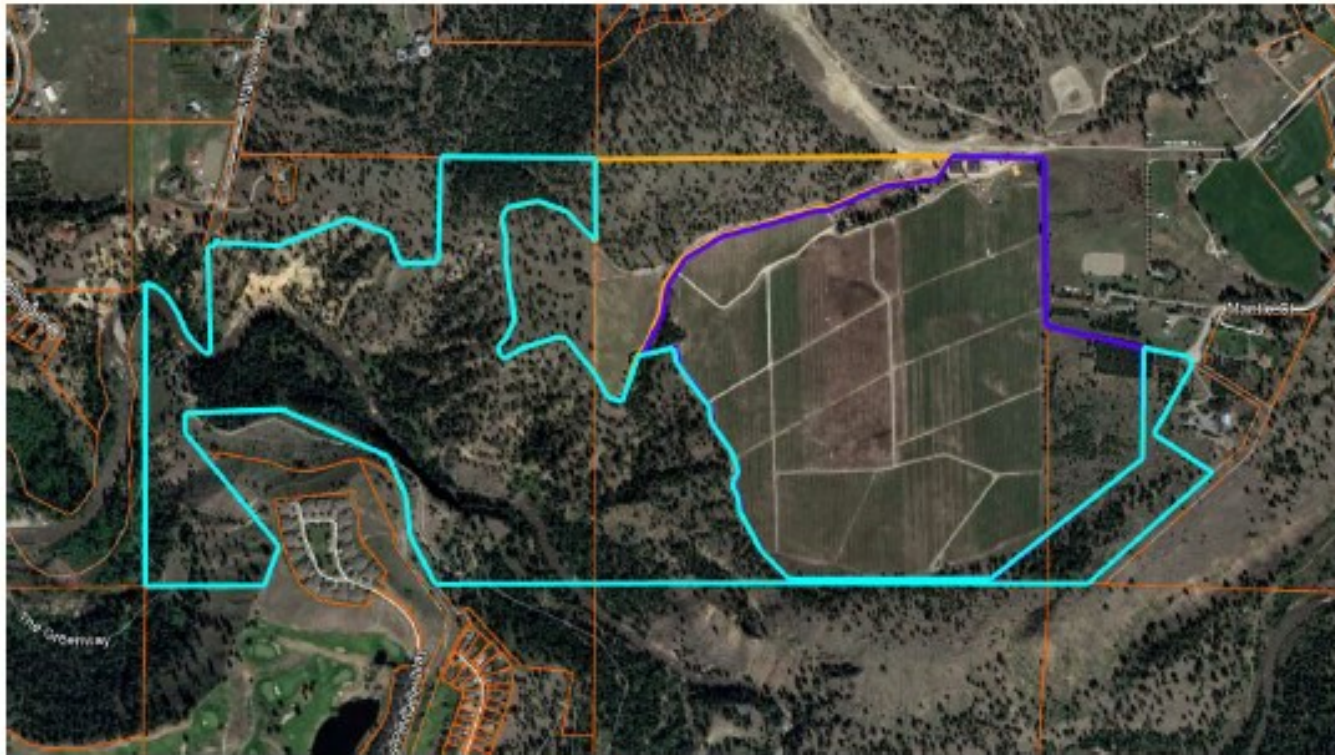
Project Details

- ▶ Boundary Adjustment between three parcels
 - ▶ Jealous Fruits, Geen Family (transfer of 8.67 ha)
 - ▶ RDCO (transfer of 10.03 ha)
 - ▶ The Scenic Canyon Regional Park will see a net gain of land of approximately 1.36 ha
- ▶ **End Result will be three parcels**
 - ▶ Two parcels owned by the Geen Family and on large parcel owned by the RDCO.

Proposal Overview – Layout

SUBDIVISION

-  *Jealous Fruits – Parcel 1*
-  *Jealous Fruits – Parcel 2*
-  *RDCO – Parcel 3*

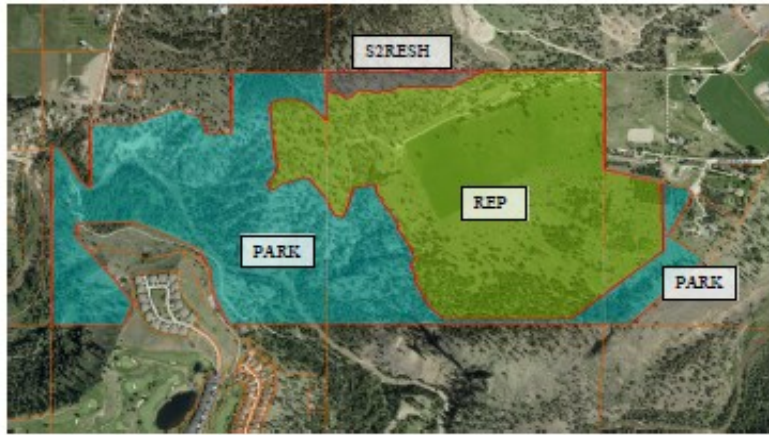


Proposal Overview - OCP

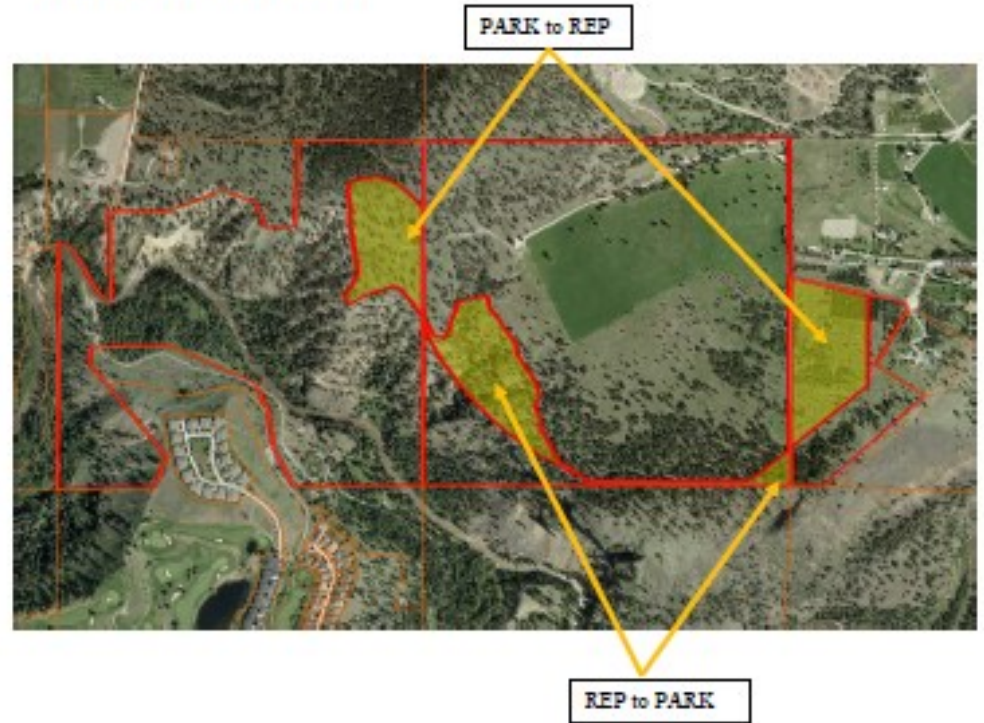
CURRENT OCP



PROPOSED OCP



OCP AMENDMENT AREAS

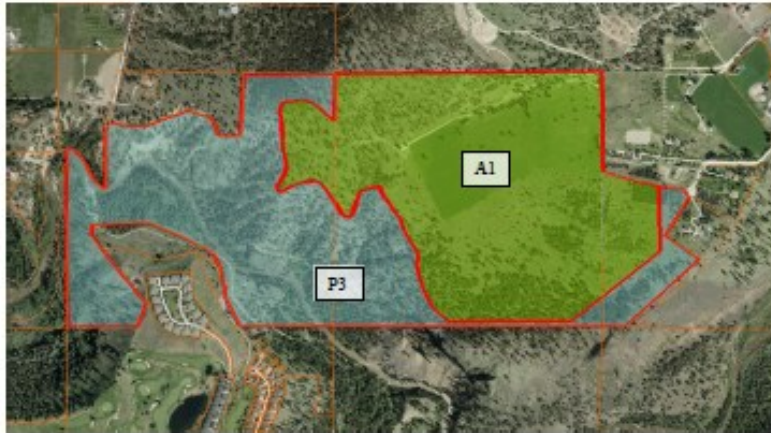


Proposal Overview - Zoning

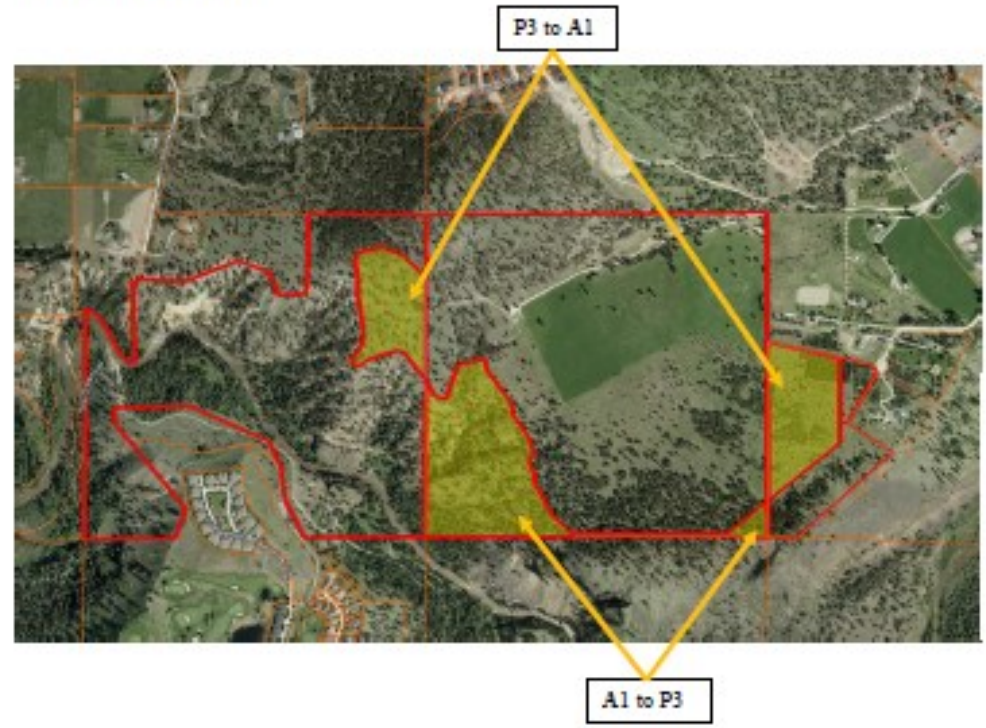
CURRENT ZONING



PROPOSED ZONING



REZONING AREAS



Development Policy

Kelowna Official Community Plan



Chapter 5 - Development Process

Agricultural Land Use Policies

Objective 5.33 Protect and enhance local agriculture.

Policy .1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel of size.

Park Land Use Policies

Objective 5.14 Provide parks for a diversity of people and a variety of uses.

Environmental Land Use Policies

Objective 5.15 Ensure environmental sustainable development.

Policy .7 Protection Measures. Protect and preserve environmental sensitive areas using dedication as a City park or trail where the area complements the goals and objectives of sustainable development.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the Official Community Plan and Rezoning Amendment application
 - ▶ Meets agricultural and parks policies and objectives
 - ▶ Expands on an existing large scale farm operation
 - ▶ Improves existing regional park land configuration and trail access
 - ▶ Protects environmentally sensitive areas within the Mission Creek Canyon.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12258

Official Community Plan Amendment No. OCP21-0005 1870 Mantle Court, 2903 Walburn Road, and 2975 Gallagher Road

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 portions of:
 - a) Parcel A, Section 7, Township 27, ODYD, Plan KAP79441, located on Mantle Court, Kelowna, B.C; and
 - b) The South West ¼ of Section 12, Township 26, ODYD, Except Plans 1380, B6800 and 20506, located on Walburn Road, Kelowna BC.
 - c) Lot A, Section 12, Township 26, ODYD, Plan EPP71625, located on Gallagher Road, Kelowna BC.

from the REP – Resource Protection Area and PARK - Major Park/Open Space (public) designations to the PARK - Major Park/Open Space (public) and REP – Resource Protection Area designation 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

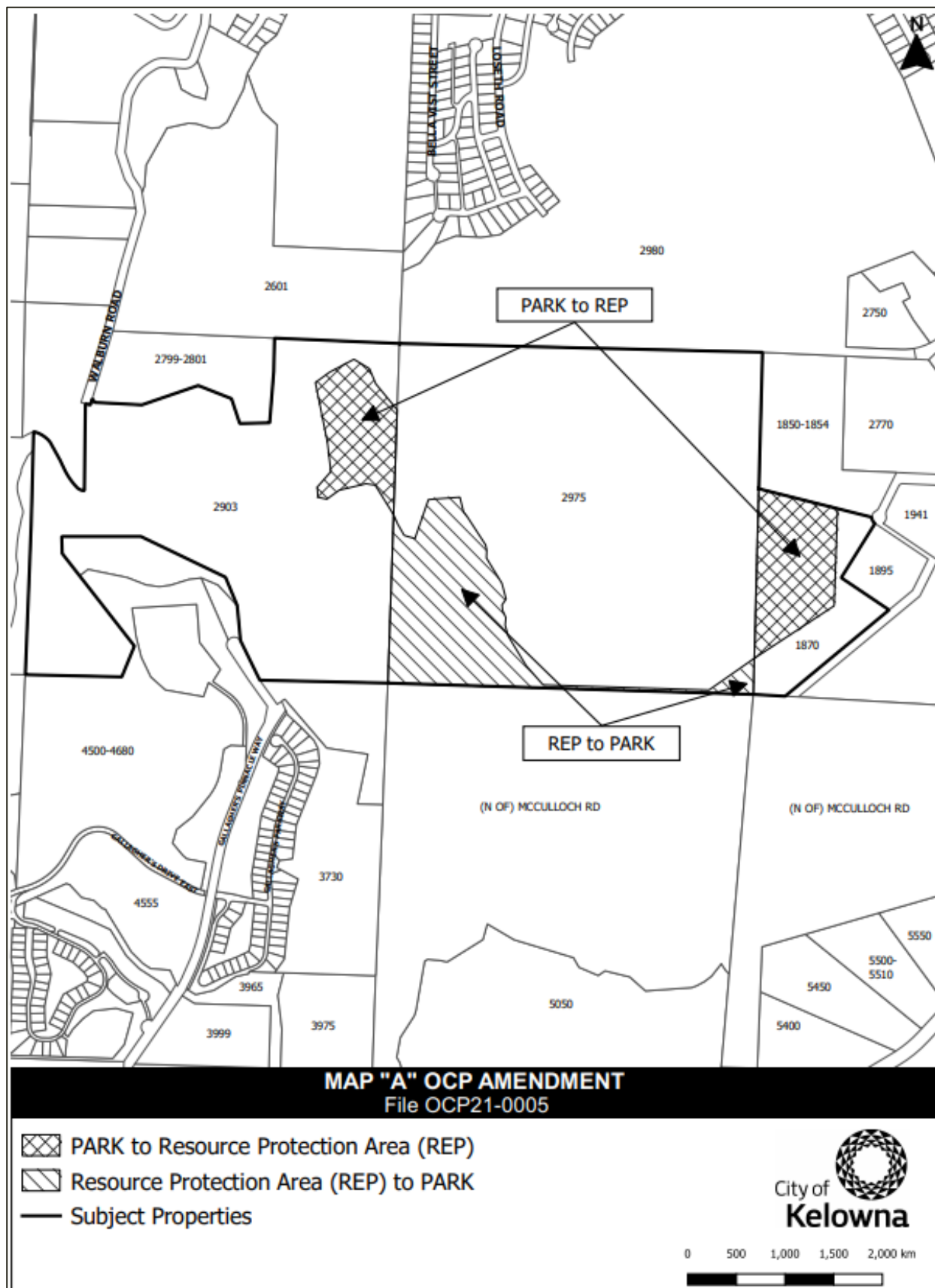
Considered at a Public Hearing on the

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. 12259

Z21-0010

1870 Mantle Court, 2903 Walburn Road, 2975 Gallagher 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 portions of:
 - a) Parcel A, Section 7, Township 27, ODYD, Plan KAP79441, located on Mantle Court, Kelowna, B.C.; and
 - b) The South West $\frac{1}{4}$ of Section 12, Township 26, ODYD, Except Plans 1380, B6800 and 20506, located on Walburn Road, Kelowna BC.
 - c) Lot A, Section 12, Township 26, ODYD, Plan EPP71625, located on Gallagher Road, Kelowna B.from the P₃ – Parks and Open Space and A₁ – Agriculture 1 zones to the A₁ – Agriculture 1 and 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

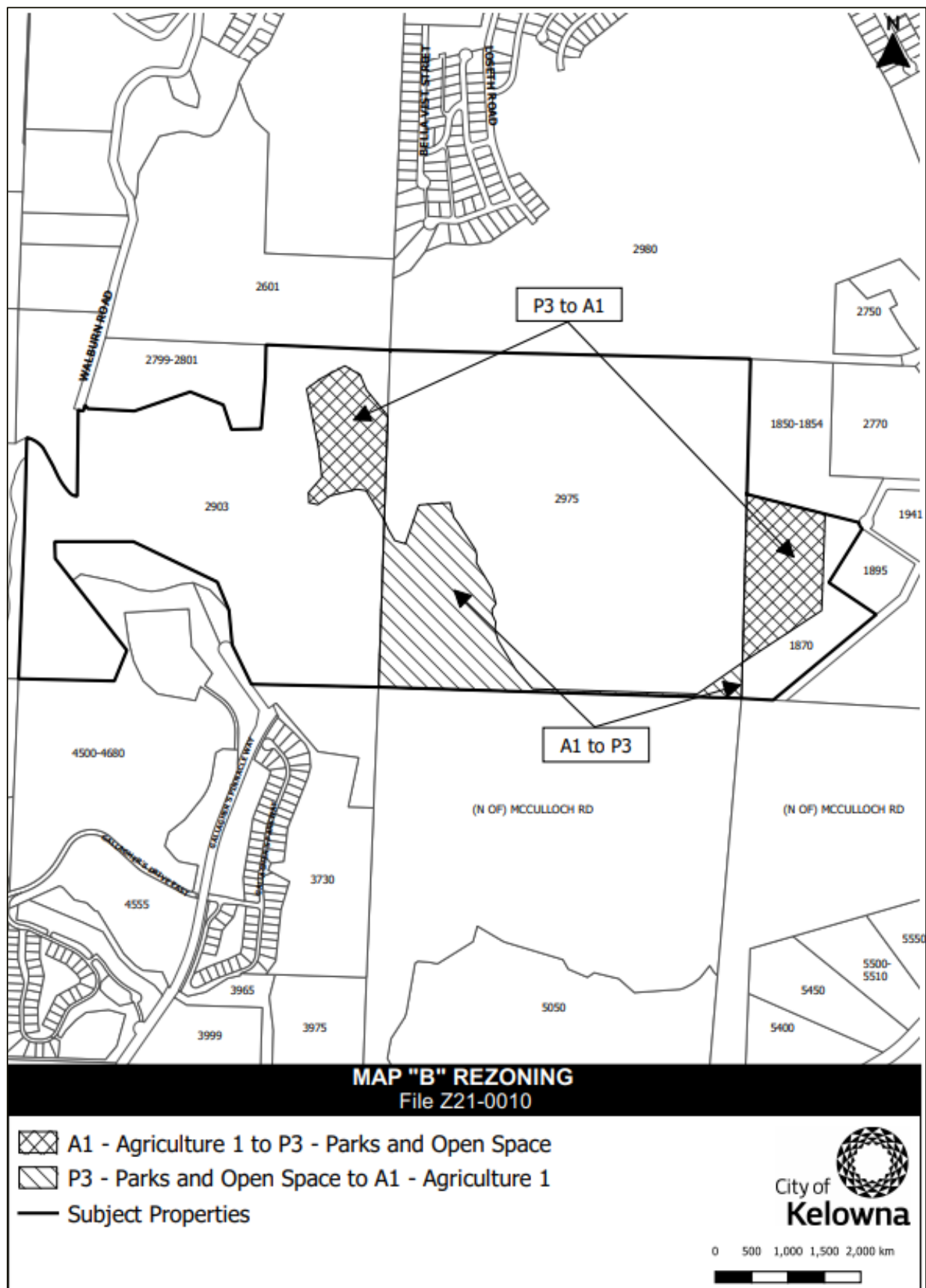
Considered at a Public Hearing on the

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



REPORT TO COUNCIL



Date: August 9, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: Z21-0052

Owner: Derek J. Klask

Address: 681 Paret Pl

Applicant: Derek J. Klask

Subject: Rezoning Application

Existing OCP Designation: S2RES– Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z21-0052 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3 District Lot 358 ODYD Plan 26534, located at 681 Paret Place, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House to facilitate the conversion of an existing detached garage into a carriage house, and to waive the Public Hearing.

3.0 Development Planning

Staff support the proposed rezoning from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House on the subject property as the application is consistent with the Official Community Plan (OCP) Future Land Use designation of S2RES – Single /Two Unit Residential.

The property is located within the Permanent Growth Boundary (PGB) and is serviced. Rezoning the subject property to allow the development of a carriage house would meet policy objectives including fostering a mix of housing forms and concentrating growth within the Permanent Growth Boundary.

4.0 Proposal

4.1 Project Description

The proposed rezoning from RU1 to RU1c is to allow for the conversion of an existing detached garage into a carriage house. A Building Permit will be required before an occupancy permit can be granted for the carriage house. The proposed carriage house will be roughly 86m² in size, located on the west side of the property and will be accessed off the existing driveway. The proposal indicates that the carriage house will meet all Zoning Bylaw Regulations without any variances. The subject property is near parks, schools, public transportation and active transportation routes making this a suitable location for increased density.

4.2 Site Context

The subject property is in the North Mission - Crawford OCP Sector and the surrounding area is primarily zoned RU1 – Large Lot Housing. The Future Land Use designation for the surrounding area is S2RES – Single / Two Unit Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single-Family Dwelling
East	RU1 – Large Lot Housing	Single-Family Dwelling
South	RU1 – Large Lot Housing	Single-Family Dwelling
West	RU1 – Large Lot Housing	Single-Family Dwelling

Subject Property Map: 681 Paret Pl



5 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 – 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and redevelopment within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

Policy .12 Carriage Houses & Accessory Apartments. Support carriage houses and accessory apartments through appropriate zoning regulations.

6 Application Chronology

Date of Application Accepted: May 8, 2021

Date Public Consultation Completed: May 26, 2021

Report prepared by: Sadie Chezenko, Student Planner and Tyler Caswell, Planner I

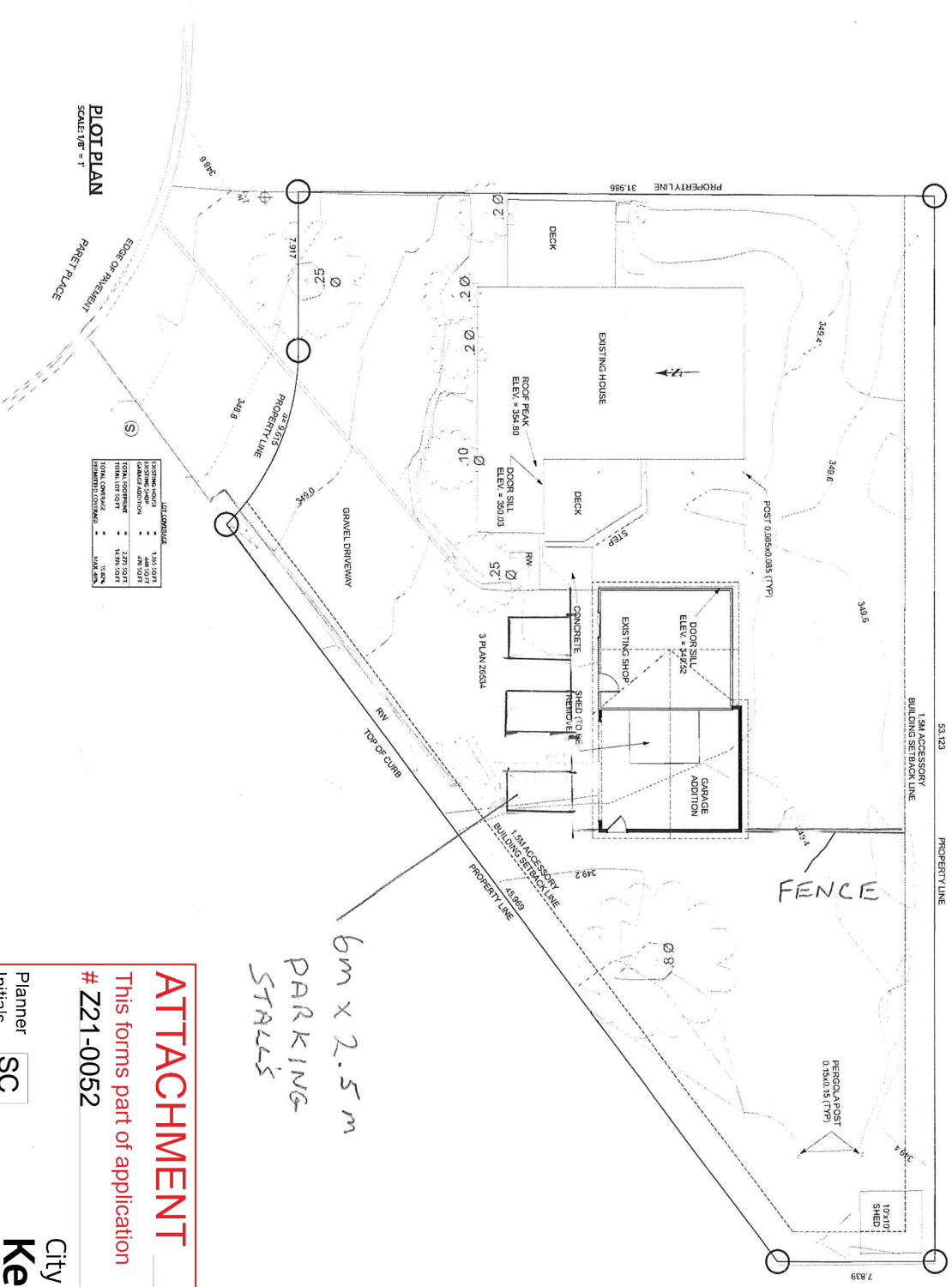
Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Site Plan



ATTACHMENT

A

This forms part of application

Z21-0052

Planner Initials

SC

City of Kelowna

DEVELOPMENT PLANNING



Z21-0052 681 Paret Place

Rezoning Application



Proposal

- ▶ To rezone the subject property from RU1 to RU1c to facilitate the development of a carriage house.

Development Process

May 12, 2021

Development Application Submitted

Staff Review & Circulation

May 26, 2021

Public Notification Received

Aug 9, 2021

Initial Consideration

Public Hearing
Second & Third Readings

Final Reading

Building Permit

Council
Approvals

Context Map



Subject Property Map







Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Within Permanent Growth Boundary
 - ▶ Complete Communities
 - ▶ Sensitive Infill
 - ▶ Carriage Houses and Accessory Apartments
- ▶ Consistent with Zoning Bylaw – no variances

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to facilitate development of a carriage house
 - ▶ Meets the intent of the Official Community Plan
 - ▶ Urban Infill Policies
 - ▶ Appropriate location for adding residential density
- ▶ Recommend the Bylaw be forwarded to Public Hearing



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12261

Z21-0052

681 Paret Place

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 Lot 3 District Lot 358 ODYD Plan 26534 located on Paret Place, 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

Public Hearing waived by the Municipal Council this

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

REPORT TO COUNCIL



Date: August 9, 2021

To: Council

From: City Manager

Department: Development Planning

Application: TA21-0009

Owner: N/A

Address: N/A

Applicant: City of Kelowna

Subject: Text Amendment Application

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA21-0009 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated August 9, 2021 be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

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

2.0 Purpose

To amend the Zoning Bylaw to allow carriage houses as a permitted secondary use on RU1 and RU2 lots that have a sanitary sewer connection within the Urban Core, as defined by Map 5.1 in the Kelowna 2030 - Official Community Plan.

3.0 Development Planning

On March 15, 2021 Development Planning presented an Urban Infill Updates Report to Council. One of these proposed changes was the deregulation of carriage houses in the Urban Core area of the City. Carriage houses offer diversity in the infill housing stock and can be designed to fit in well with the existing context of a neighbourhood without negative impacts. Currently, a rezoning application is required for carriage house development and the deregulation will make it easier and more affordable for landowners to pursue a carriage house development on serviced RU1 and RU2 zoned lots that are located within the Urban Core. There are approximately 5,655 RU1 and RU2 zoned properties within the Urban Core with sewer connections

that would be eligible to take advantage of this deregulation, with the majority located in the Rutland and Central City areas.

The City of Kelowna started tracking building permit data for carriage houses in 2002. Since then, 509 building permits have been issued for this purpose City-wide. This is an average of 25 per year, however there is significant variation between years. This year, 2021, although not complete, has the lowest number of applications with nine (issued building permits) so far. 2007 saw the highest number of approved building permits, with 47 total. Since 2016, the number of new carriage homes being built has declined, despite the removal of a development permit requirement around that time. Carriage homes represent a desirable form of infill with generally few negative externalities. Now, in the Urban Core, on serviced RU1 and RU2 lots, carriage house applications rarely receive recommendations of non-support by Staff and/or are denied.

The request to rezone to a carriage house subzone within the Urban Core supports key direction in the Healthy Housing Strategy to promote and protect rental housing, improve housing affordability and build the right supply. Further, Kelowna's Climate Action Plan highlights the need to create compact and complete communities as a way to manage energy and emissions. An increase of carriage houses in the Urban Core helps to achieve this as it allows more residents and workers to be located closer to transit and services, reducing vehicle dependency.

No other Zoning Bylaw regulations relating to carriage houses are proposed to change as part of this amendment. This proposed amendment would see the RU1 – Large Lot Housing and RU2 – Medium Lot Housing zones mirror RU6 – Two Dwelling Housing zoned properties, where carriage houses are currently a permitted secondary use with no rezoning application required. Should a variance to an existing Zoning Bylaw regulation be requested for the construction of a carriage house, such as to height or setbacks, this request would still need to come to Council for consideration. Rezoning applications would still generally be a requirement for properties located outside of the Urban Core Area, unless they are already zoned to allow for a carriage house.

It is the opinion of staff that the proposed Text Amendment for the deregulation of carriage houses on RU1 and RU2 lots that have a sanitary sewer connection within the Urban Core is supported by City policies and would result in overall time and cost savings for Staff, Council and applicants.

4.0 Proposal

4.1 Background

Council endorsed the Healthy Housing Strategy on June 25, 2018, with one of the strategy's key directions being to "build the right supply". While progress has been made in championing this direction, such as the implementation of the RU7- Infill zone, there are remaining zoning bylaw amendments that should be actioned to support the overarching goal of achieving a greater variety of infill housing forms. Appendix F: Build the Right Supply of the Healthy Housing Strategy provides "action details" that identify potential zoning bylaw amendments that will aide in expanding the permissiveness of existing infill housing forms. The forthcoming bylaw amendments are aligned with the action details.

Staff are working on a new comprehensive zoning bylaw update however that project will be in development through the coming year. It is anticipated to come forth for Council consideration in coordination with the new OCP 2040. Staff feel there is good merits in bringing forth the proposed zoning regulations changes now in order for this year's development cycle to benefit from the changes and help implement the City's objectives.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

Contain Urban Growth – Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Chapter 5: Development Process

Residential Land Use Policies

Objective 5.22 Ensure context sensitive housing development

Policy .12 Carriage Houses & Accessory Apartments. Support carriage houses and accessory apartments through appropriate zoning regulations.

5.2 Healthy Housing Strategy

Chapter 3: Key Directions and Recommended Actions

Objective 3.3: Build the Right Supply

Direction: Support a greater variety of infill housing forms *Action:* Increase permissiveness for townhouses, duplexes, carriage homes, small housing, house-plexes and tiny homes.

Direction: Create more sensitive infill of lots in existing neighbourhoods *Action:* Complete a review of residential zones in the Zoning Bylaw to determine if regulations can be amended to encourage infill housing.

Direction: Encourage universal and accessible *Action:* design City of Kelowna to develop policies in the OCP2040 to encourage housing units to incorporate universal and accessible design, which supports aging in place and people with diverse abilities. Interior Health to provide an opportunity for home health staff to share housing related needs of clients and explore opportunities to support universal and adaptable housing design

^^because its "adaptable housing" allows people to age in place

Appendix F: Building the right supply

Action details: Allow carriage houses as a permitted use in the RU1 – Large Lot Housing and RU2 – Medium Lot Housing zones.

5.3 Community for All: Kelownas All Age's and Abilities Action Plan

Recommendations: Healthy Housing

Objective: Build on City policies that address housing needs *Action:* Support the development of diverse housing types to meet the variety of housing needs in the community

5.4 Our Kelowna as We Take Action: Kelowna's Community Climate Action Plan

Planning Our Community: Recommended Land Use Actions

Action #: LU6 Action: For the 2040 OCP update, re-evaluate a more compact growth strategy that prioritizes development in the Urban Core and dis-incentivizes development in the fringe.

Report prepared by: Sadie Chezenko, Student Planner & Kimberly Brunet, Planner II
Reviewed by: Jocelyn Black, Urban Planning Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Proposed Text Amendment TA21-0009

Schedule A – Proposed Text Amendments to Zoning Bylaw No. 8000

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	13.1.3 Section 13 – Urban Residential Zones, RU1 - Large Lot Housing, Secondary Uses	<p>Secondary Uses</p> <p>The secondary uses in this zone are:</p> <ul style="list-style-type: none"> (a) bed and breakfast homes (b) child care centre, minor (c) carriage house (RU1c and RU1hc only) (d) group homes, minor (e) home based businesses, major (f) home based businesses, minor (g) secondary suites (h) short term rental accommodation subject to Section 9.17 of this bylaw 	<p>Secondary Uses</p> <p>The secondary uses in this zone <u>for a lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan are:</u></p> <ul style="list-style-type: none"> (a) bed and breakfast homes (b) child care centre, minor (c) carriage house (RU1c and RU1hc only) (d) group homes, minor (e) home based businesses, major (f) home based businesses, minor (g) secondary suites (h) short term rental accommodation subject to Section 9.17 of this bylaw <p><u>The secondary uses in this zone for a lot located within the Core Area, as defined on Map 5.1 in the City's Official Community Plan are:</u></p> <ul style="list-style-type: none"> <u>(a) bed and breakfast homes</u> <u>(b) child care centre, minor</u> <u>(c) carriage house</u> <u>(d) group homes, minor</u> <u>(e) home based businesses, major</u> <u>(f) home based businesses, minor</u> <u>(g) secondary suites</u> <u>(h) short term rental accommodation subject to Section 9.17 of this bylaw</u> 	<p>Removing the requirement for properties to be rezoned to a carriage house subzone within the Core Area</p>

2.	13.1.4(c) Section 13 – Urban Residential Zones, RU1 - Large Lot Housing Buildings and Structures Permitted	(c) one carriage house (RU1c and RU1hc only)	(c) one carriage house (RU1c and RU1hc only <u>subzone required for any lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan</u>)	Specifying the subzone is only required for any lot located outside of the Core Area
3.	13.1.7(b) Section 13 – Urban Residential Zones, RU1 - Large Lot Housing, Other Regulations	(b) A “c” notation shown on Schedule “A” as part of the identified zone classification indicates that a secondary use in the form of a carriage house is permitted on the properties so designated, subject to meeting the conditions of use of the zone . A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent zone .	(b) A “c” notation shown on Schedule “A” as part of the identified zone classification indicates that a secondary use in the form of a carriage house is permitted on the properties so designated, subject to meeting the conditions of use of the zone . A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent zone <u>and is required for any lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan</u>	Specifying the subzone is only required for any lot located outside of the Core Area
4.	13.2.3 Section 13 – Urban Residential Zones, RU2 - Medium Lot Housing, Secondary Uses	Secondary Uses The secondary uses in this zone are: (a) bed and breakfast homes (b) child care centre, minor (c) carriage house (RU2c and RU2hc only) (d) group homes, minor (e) home based businesses, major (f) home based businesses, minor (g) secondary suites (h) short term rental accommodation subject to Section 9.17 of this bylaw	Secondary Uses The secondary uses in this zone <u>for a lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan</u> are: (a) bed and breakfast homes (b) child care centre, minor (c) carriage house (RU2c and RU2hc only) (d) group homes, minor (e) home based businesses, major (f) home based businesses, minor (g) secondary suites	Removing the requirement for properties to be rezoned to a carriage house subzone within the Core Area

			<p>(h) short term rental accommodation subject to Section 9.17 of this bylaw</p> <p><u>The secondary uses in this zone for a lot located within the Core Area, as defined on Map 5.1 in the City's Official Community Plan are:</u></p> <p><u>(a) bed and breakfast homes</u> <u>(b) child care centre, minor</u> <u>(c) carriage house</u> <u>(d) group homes, minor</u> <u>(e) home based businesses, major</u> <u>(f) home based businesses, minor</u> <u>(g) secondary suites</u> <u>(h) short term rental accommodation subject to Section 9.17 of this bylaw</u></p>	
5.	<p>13.2.4(c)</p> <p>Section 13 – Urban Residential Zones, RU2 - Medium Lot Housing, Buildings and Structures Permitted</p>	<p>(c) one carriage house (RU2c and RU2hc only)</p>	<p>(c) one carriage house (RU2c and RU2hc only <u>subzone required for any lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan</u>)</p>	<p>Specifying the subzone is only required for any lot located outside of the Core Area</p>
6.	<p>13.2.7(e)</p> <p>Section 13 – Urban Residential Zones</p>	<p>(e) A "c" notation shown on Schedule "A" as part of the identified zone classification indicates that a secondary use in the form of a carriage house is permitted on the properties so designated, subject to meeting the conditions of use of the zone. A "c" zoning classification on a property</p>	<p>(e) A "c" notation shown on Schedule "A" as part of the identified zone classification indicates that a secondary use in the form of a carriage house is permitted on the properties so designated, subject to meeting the conditions of use of the zone. A "c" zoning classification on a property shall be established by rezoning the subject property to the</p>	<p>Specifying the subzone is only required for any lot located outside of the Core Area</p>

	RU2 - Medium Lot Housing, Other Regulations	shall be established by rezoning the subject property to the "c" version of the parent zone.	"c" version of the parent zone and is required for <u>any lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan</u>).	
--	--	--	--	--

DRAFT



TA21-0009

Multiple Addresses

Text Amendment Application



Proposal

- ▶ To amend the Zoning Bylaw by allowing carriage houses as a permitted secondary use on RU1 and RU2 lots that have an active sanitary sewer connection within the Urban Core, as defined by Map 5.1 in the Kelowna 2030 - Official Community Plan.

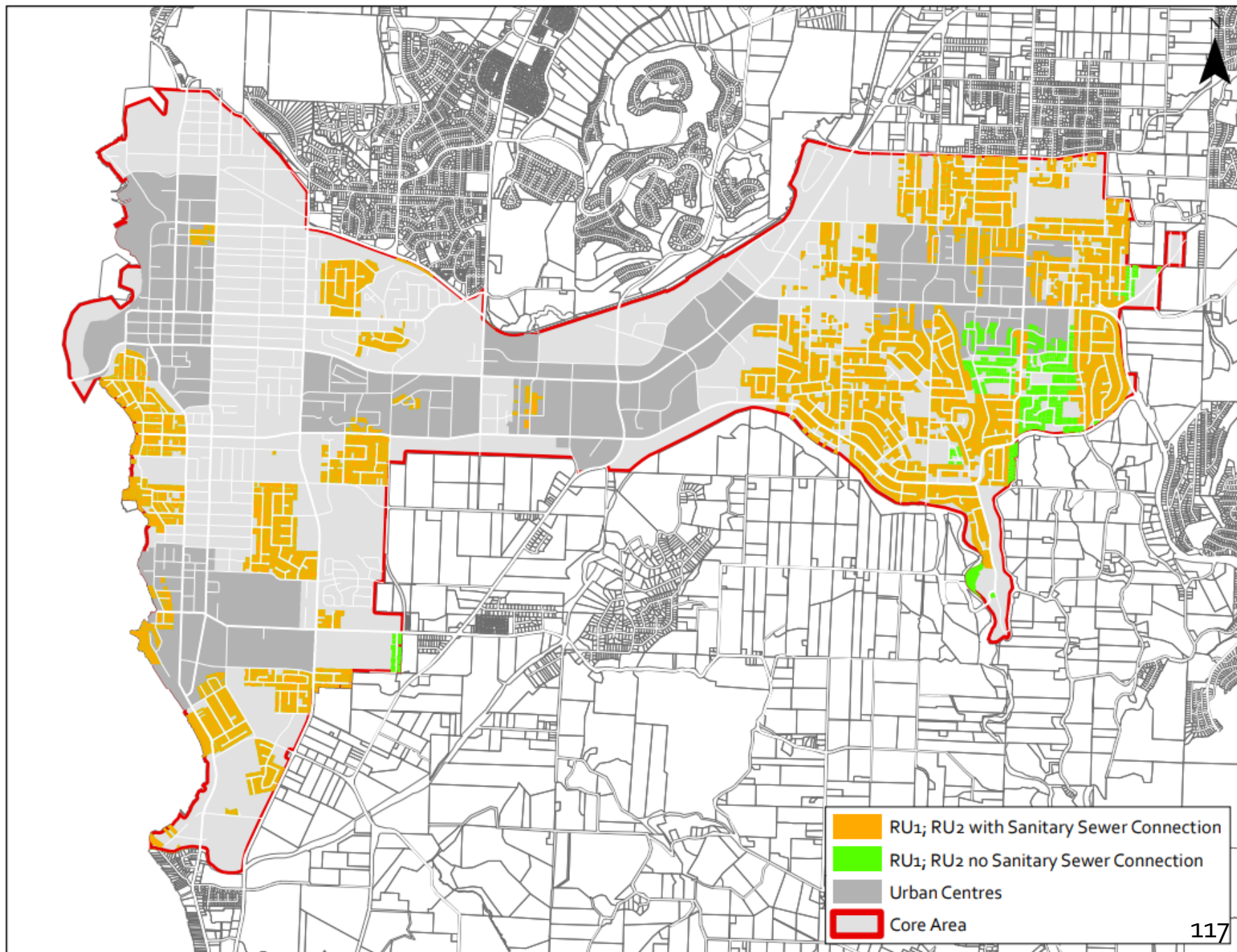
Background

- ▶ June 2018
 - ▶ Council endorsed the Healthy Housing Strategy
 - ▶ Support expanding the permissiveness of existing infill housing forms
- ▶ March 2021
 - ▶ Direction from Council in 2021 to bring forward a carriage house deregulation option for consideration
- ▶ Approx. 5,655 properties zoned RU1 or RU2 in Core Area with active sanitary connections

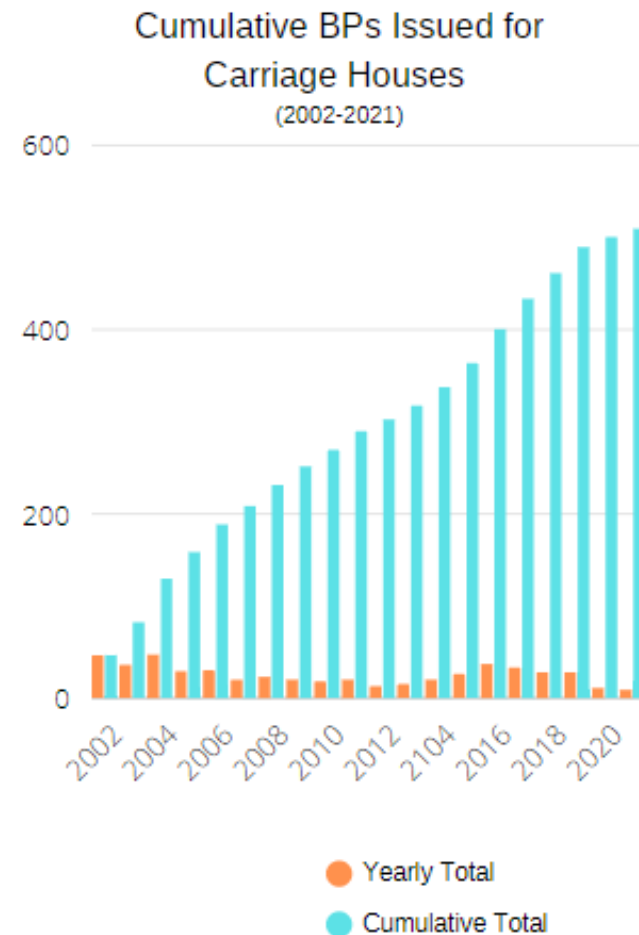
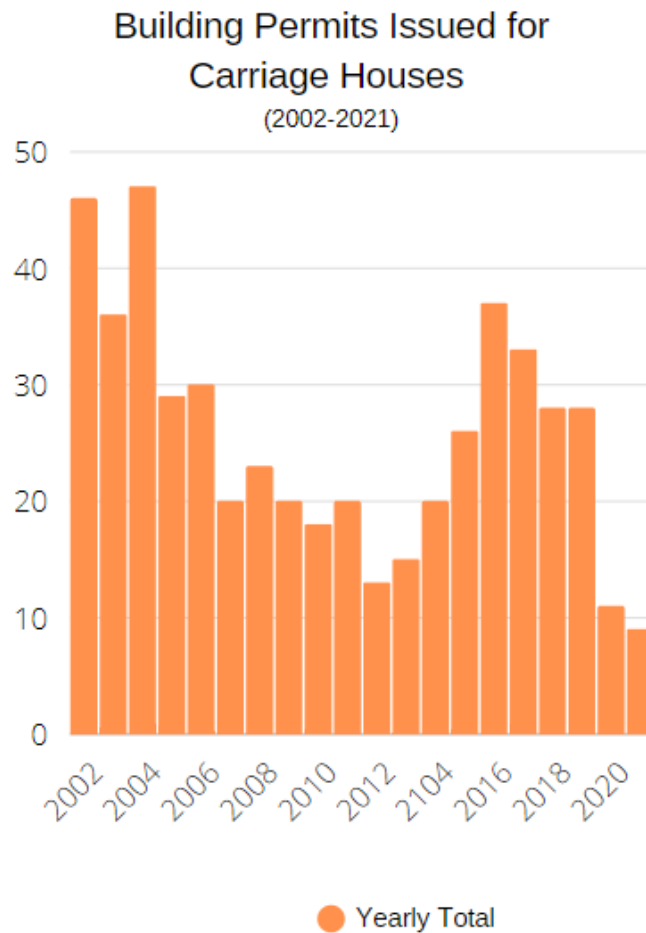
Urban Core Map – 2030 OCP



Boundaries could be slightly different in 2040 Official Community Plan
City of **Kelowna**



BP Statistics (2002 -> Present)



Development Policy

- ▶ 2030 Official Community Plan
 - ▶ Support carriage houses and accessory apartments through appropriate zoning regulations.
- ▶ Healthy Housing Strategy
 - ▶ *Objective 3.3: Build the Right Supply*
 - ▶ *Direction:* Support a greater variety of infill housing forms
 - ▶ *Action:* Increase permissiveness for townhouses, duplexes, carriage homes, small housing, house-plexes and tiny homes.
 - ▶ *Direction:* Create more sensitive infill of lots in existing neighbourhoods
 - ▶ *Action:* Complete a review of residential zones in the Zoning Bylaw to determine if regulations can be amended to encourage infill housing.

Staff Recommendation

- ▶ Staff recommend support for the Text Amendment
 - ▶ Supported by OCP and Healthy Housing Strategy
 - ▶ Facilitates carriage house development in Urban Core
 - ▶ Easier and more affordable for landowners to pursue a carriage house development
 - ▶ Current Zoning Bylaw Regulations still apply and would be enforced at BP
 - ▶ Any Variances to regulations would still come to Council for consideration.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12263

TA21-0009

Section 13 – Urban Residential Zones

RU1 – Large Lot Housing and RU2 – Medium Lot Housing - Carriage Houses

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Zoning Bylaw No. 8000 be amended as follows:

1. THAT **Section 13 – Urban Residential Zones, Section 13.1 RU1 – Large Lot Housing, Section 13.1.3 Secondary Uses** be amended by deleting the following:

“The **secondary uses** in this **zone** are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house (RU1c and RU1hc only)**
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **secondary suites**
- (h) **short term rental accommodation subject to Section 9.17 of this bylaw”**

And replacing it with:

“The **secondary uses** in this **zone** for a lot located outside the Core Area, as defined on Map 5.1 in the City’s Official Community Plan are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house (RU1c and RU1hc only)**
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **secondary suites**
- (h) **short term rental accommodation subject to Section 9.17 of this bylaw**

The **secondary uses** in this **zone** for a lot located with the Core Area, as defined on Map 5.1 in the City’s Official Community Plan are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house**
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **secondary suites**
- (h) **short term rental accommodation subject to Section 9.17 of this bylaw”**

2. AND THAT **Section 13 – Urban Residential Zones, Section 13.1 RU1 – Large Lot Housing, Section 13.1.4(c) Buildings and Structures Permitted** be amended by deleting the following:

“(c) one **carriage house** (RU1c and RU1hc only)”

And replacing it with:

“(c) one **carriage house** (RU1c and RU1hc subzone required for any lot located outside the Core Area, as defined on Map 5.1 in the City’s Official Community Plan)”

3. AND THAT **Section 13 – Urban Residential Zones, Section 13.1 RU1 – Large Lot Housing, Section 13.1.7(b) Other Regulations** be amended by deleting the following:

“A “c” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent **zone**.”

And replacing it with:

“A “c” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent **zone** and is required for any lot located outside the Core Area, as defined on Map 5.1 in the City’s Official Community Plan.”

4. AND THAT **Section 13 – Urban Residential Zones, Section 13.2 RU2 – Medium Lot Housing, Section 13.2.3 Secondary Uses** be amended by deleting the following:

“The **secondary uses** in this **zone** are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house** (RU2c and RU2hc only)
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **secondary suites**
- (h) **short term rental accommodation** subject to Section 9.17 of this bylaw”

And replacing it with:

“The **secondary uses** in this **zone** for a lot located outside the Core Area, as defined on Map 5.1 in the City’s Official Community Plan are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house** (RU2c and RU2hc only)
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **secondary suites**
- (h) **short term rental accommodation** subject to Section 9.17 of this bylaw

The **secondary uses** in this **zone** for lot located within the Core Area, as defined on Map 5.1 in the City’s Official Community Plan are:

- (a) **bed and breakfast homes**

- (b) child care centre, minor
 - (c) carriage house
 - (d) group homes, minor
 - (e) home based businesses, major
 - (f) home based businesses, minor
 - (g) secondary suites
 - (h) short term rental accommodation subject to Section 9.17 of this bylaw"
5. AND THAT **Section 13 – Urban Residential Zones, Section 13.2 RU2 – Medium Lot Housing, Section 13.2.4(c) Buildings and Structures Permitted** be amended by deleting the following:

"(c) one **carriage house** (RU2c and RU2hc only)"

And replacing it with:

"(c) one **carriage house** (RU2c and RU2hc subzone required for any lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan)"

6. AND THAT **Section 13 – Urban Residential Zones, Section 13.2 RU2 – Medium Lot Housing, Section 13.2.7(e) Other Regulations** be amended by deleting the following:

"A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of the parent **zone**."

And replacing it with:

"A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of the parent **zone** and is required for any lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan."

7. 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

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: August 9, 2021

To: Council

From: City Manager

Subject: Neighbourhood Notification for OCP20-0013 and Z20-0066

Department: Development Planning

Recommendation:

THAT Council receives, for information, the report from the Development Planning Department dated August 9, 2021, with respect to neighbourhood notification for OCP20-0013 and Z20-0066.

AND THAT Bylaws No. 12129 and 12130 be scheduled for consideration at the August 24, 2021 public hearing.

Purpose:

To provide Council with an update on the neighbourhood notification that has occurred for OCP20-0013 and Z20-0066 for 605 Fraser Road and 460 Leathead Road.

Background:

Council gave second and third readings on February 2, 2021 to Official Community Plan Map Amending Bylaw No. 12129 and Rezoning Bylaw No. 12130 for the properties at 605 Fraser Road and 460 Leathead Road. After the Public Hearing for these applications on February 2, 2021 it was discovered that Council Policy No. 367 Public Notification & Consultation for Development Applications was not met in full. On February 22, 2021, Council rescinded 2nd and 3rd readings and required the applicant to re-engage the neighbourhood in accordance with Council Policy No. 367 prior to sending the applications back to a Public Hearing for consideration.

Previous Council Resolution

Resolution	Date
THAT Council rescind 2nd and 3rd readings given Bylaw 12129 and Bylaw 12130;	February 22, 2021
AND THAT Council send the application for 605 Fraser Rd and 460 Leathead Rd to public hearing;	

AND THAT prior to the public hearing being scheduled, the applicant re-engage the neighbourhood in accordance with Council Policy 367.	
--	--

Discussion:

On July 21, 2021 Development Planning Staff received confirmation that the applicant has re-engaged the neighbourhood in accordance with Council Policy No. 367 and submitted a Neighbour Consultation Form. They indicated the requirement was fulfilled by mailing a letter, landscape plan and rendering to all addresses located within a 50 m radius of the subject properties. The consultation form that was received and a copy of the letter that was mailed to neighbours has been included as Attachment A.

Conclusion:

The applicant has re-engaged the neighbourhood in accordance with Council Policy No. 367. As such, Development Planning is requesting for the applications for 605 Fraser Rd and 460 Leathead Rd to be sent to public hearing for further consideration.

Internal Circulation:

Office of the City Clerk

Considerations applicable to this report:

Existing Policy: Council Policy No. 367 outlines Public Notification and Consultation requirements for development applications

Legal/Statutory Procedural Requirements: All applications made pursuant to the Development Applications Procedures Bylaw No. 10450 are required to meet the requirements identified in Council Policy No. 367 prior to Council initial consideration of an application.

Considerations not applicable to this report:

Legal/Statutory Authority: N/A

Financial/Budgetary Considerations: N/A

External Agency/Public Comments: N/A

Communications Comments: N/A

Approved for inclusion: Terry Barton, Development Planning Department Manager

Attachments

Attachment A: Applicant's Neighbour Consultation Form and Letter



Neighbour Consultation Form (Council Policy No.367)

A summary of neighborhood consultation efforts, feedback and response must be provided to City staff, identifying how the efforts meet the objectives of this Policy. This form must be filled out and submitted to the File Manager a minimum of 20 days prior to initial consideration by Council.

I, Tony Khunkhun, the applicant for Application No. OCP20-0013 Z20-0066
DP20-153
 for 16 unit townhouse proposal
 (brief description of proposal)

at 605 Fraser Rd / 460 Leathead have conducted the required neighbour
 (address)
 consultation in accordance with Council Policy No. 367.

- ☐ My parcel is located **outside** of the Permanent Growth Boundary and I have consulted all owners & occupants within a 300m radius
- ☐ My parcel is located **inside** of the Permanent Growth Boundary and I have consulted all owners & occupants within a 50m radius

I have consulted property owners and occupants by doing the following: _____

Mailing to the Neighbors

Please initial the following to confirm it has been included as part of the neighbour consultation:

- ☒ Location of the proposal;
- ☒ Detailed description of the proposal, including the specific changes proposed;
- ☒ Visual rendering and/or site plan of the proposal;
- ☒ Contact information for the applicant or authorized agent;
- ☒ Contact information for the appropriate City department;
- ☒ Identification of available methods for feedback.

Please return this form, along with any feedback, comments, or signatures to the File Manager 20 days prior to the anticipated initial consideration by Council date. On the back of this form please list those addresses that were consulted.

OCP20-0013 Z20-0066



City of Kelowna
DEVELOPMENT PLANNING

Planner Initials **KB**

(letters mailed)

(1) Public Hearing - letters mailed July 14th 2021

Proposed Rezoning

Date: July 7, 2021

Dear Neighbor,

We are proposing to rezone 460 Leathead & 605 Fraser from the RU1 – Large Lot Housing zone to RM3 – Low Density Multiple Housing zone and to amend the Official Community Plan to change the future land use designation from S2RES – Single / Two Unit Residential to MRL – Multiple Unit Residential (Low Density) to facilitate a multiple dwelling housing development on the subject properties. The new proposed zoning will allow for a our 16-unit townhouse development named ‘Tetra’ that will provide affordable homes for families in our community. The target demographics for this development includes young families, first-time homebuyers and people downsizing.

The proposed 16-unit development will compose of four 3 story townhouses. Four of the units will be two bedrooms units while the remaining twelve units will be three-bedroom units. Each unit will contain its own double car garage and bike storage unit. The units will have a modern/contemporary architecture style with high quality, and low maintenance finishing’s.

The proposed development will have access off of both Leathead and Fraser road and will feature backyards with ample landscaping and tree infusions and other outdoor amenities including on-site gardens and fruit trees to promote harmonious living.

RA Quality Homes strives to make affordable homes in our community and look forward to our now fourth project in the Rutland area. We value the input of the nearby residences and therefore invite you to provide any feedback to our Tetra project through phone, email or in-person can be arranged. Below you will find the contact information of RA Quality Homes and the city representative who we are working with closely.

RA Quality Home Contact Information

Name: Tony Khunkhun
Phone: 250-317-3253
Email: tkhunkhun@gmail.com

City of Kelowna Contact Information

Name: Kimberly Brunet
Phone: 250-469-8637
Email: kbrunet@kelowna.ca



OCP20-0013 Z20-0066

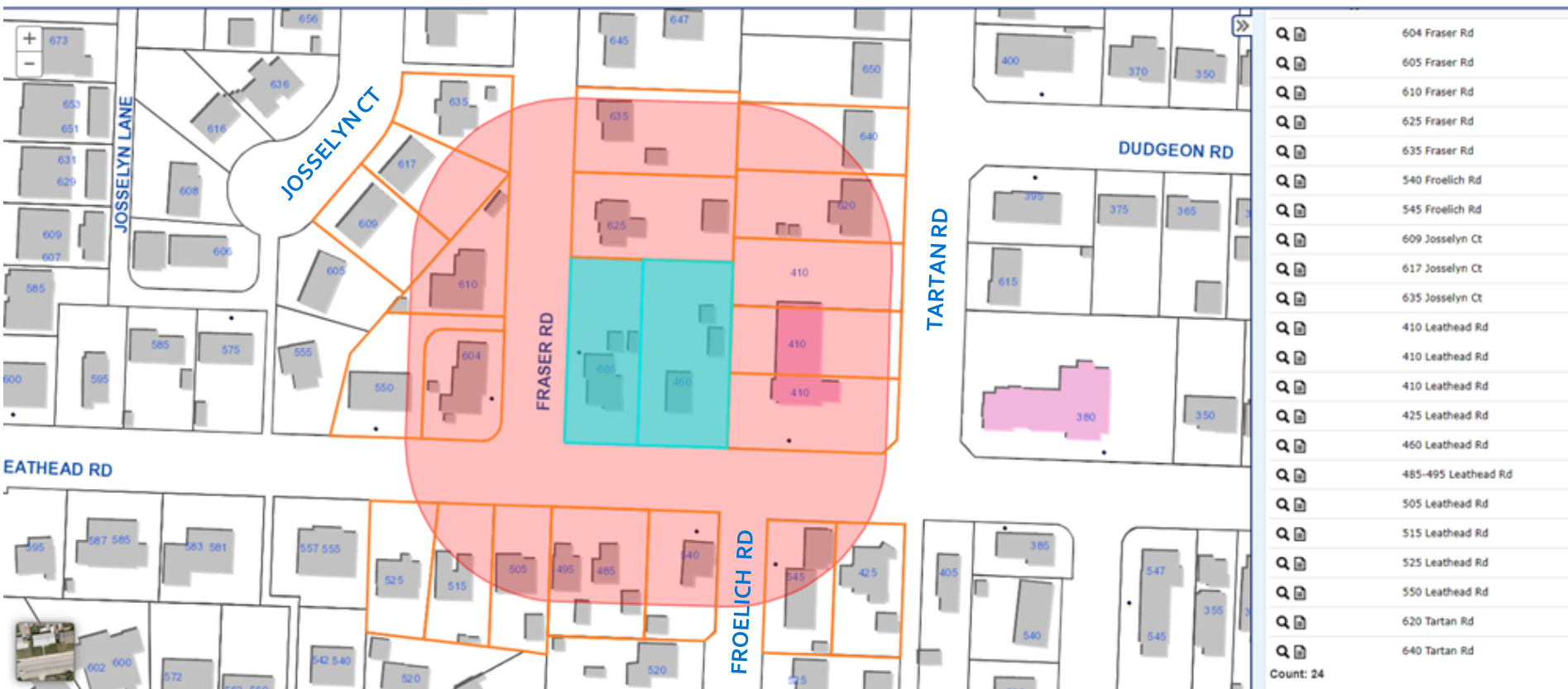
605 Fraser Road

460 Leathead Road

Supplemental Report to Council



Council Policy No. 367





Conclusion of Staff Remarks

Report to Council



Date: August 9, 2021

To: Council

From: City Manager

Subject: Rezoning Bylaw No. 12241 for Z20-0095 Summary of Correspondence

Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated August 9, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12241;

AND THAT Rezoning Bylaw No. 12241 be forwarded for further reading consideration.

Purpose:

To receive a summary of correspondence for Rezoning Bylaw No. 12241 and to give the bylaw further reading consideration.

Background:

On July 12, 2021, Council passed a resolution directing staff to continue to recommend that Council waive the Public Hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff and are not expected to generate significant public input based on correspondence received at the time of the report to Council. This resolution is in effect until Council decides on a long-term option for electronic Council meetings and public hearings, expected later in 2021.

The public has the opportunity to submit written correspondence for applications where the Public Hearing has been waived. Notification is done through signage on the subject property, newspaper advertisements, and mailouts in accordance with the *Local Government Act* and Development Application Procedures Bylaw No. 10540.

Previous Council Resolution

Resolution	Date
AND THAT Council direct staff to continue to recommend that Council waive	July 12, 2021

the public hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff, and are not expected to generate significant public input based on correspondence received at the time of the report to Council until Council decides on a long-term option for electronic Council meetings and public hearings;	
--	--

Discussion:

Rezoning Application Z20-0095 for 734 Mayfair Court was brought forward to Council for initial consideration on [July 12, 2021](#). At this meeting, Council passed a resolution to waive the Public Hearing and correspondence was accepted between July 14, 2021 and July 26, 2021.

The Office of the City Clerk received one piece of correspondence. It has been circulated to Council and is summarized as follows:

- one letter of support

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following the public notification period, staff are recommending that Council give Rezoning Bylaw No. 12241, located at 734 Mayfair Court, further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the *Local Government Act* and upon considering correspondence submitted, Council may choose to:

- give a bylaw further reading consideration,
- advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: R. Van Huizen, Legislative Technician

Approved for inclusion: S. Fleming, City Clerk
cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12241

Z20-0095

734 Mayfair Court

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 Lot 18 District Lot 143, ODYD, Plan 43720 located on Mayfair Court, 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 12th day of July, 2021.

Public Hearing waived by the Municipal Council this

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: August 9, 2021

To: Council

From: City Manager

Subject: Rezoning Bylaw No. 12242 for Z21-0008 Summary of Correspondence

Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated August 9, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12242;

AND THAT Rezoning Bylaw No. 12242 be forwarded for further reading consideration.

Purpose:

To receive a summary of correspondence for Rezoning Bylaw No. 12242 and to give the bylaw further reading consideration.

Background:

On July 12, 2021, Council passed a resolution directing staff to continue to recommend that Council waive the Public Hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff and are not expected to generate significant public input based on correspondence received at the time of the report to Council. This resolution is in effect until Council decides on a long-term option for electronic Council meetings and public hearings, expected later in 2021.

The public has the opportunity to submit written correspondence for applications where the Public Hearing has been waived. Notification is done through signage on the subject property, newspaper advertisements, and mailouts in accordance with the *Local Government Act* and Development Application Procedures Bylaw No. 10540.

Previous Council Resolution

Resolution	Date
AND THAT Council direct staff to continue to recommend that Council waive	July 12, 2021

the public hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff, and are not expected to generate significant public input based on correspondence received at the time of the report to Council until Council decides on a long-term option for electronic Council meetings and public hearings;	
--	--

Discussion:

Rezoning Application Z21-0008 for 4653 Gordon Drive was brought forward to Council for initial consideration on [July 12, 2021](#). At this meeting, Council passed a resolution to waive the Public Hearing and correspondence was accepted between July 14, 2021 and July 26, 2021.

The Office of the City Clerk received zero pieces of correspondence.

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following the public notification period, staff are recommending that Council give Rezoning Bylaw No. 12242, located at 4653 Gordon Drive, further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the *Local Government Act* and upon considering correspondence submitted, Council may choose to:

- give a bylaw further reading consideration,
- advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: R. Van Huizen, Legislative Technician

Approved for inclusion: S. Fleming, City Clerk
cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12242

Z21-0008

4653 Gordon Drive

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 Lot A District Lot 357, ODYD, Plan EPP110189 located on Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing 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 12th day of July, 2021.

Public Hearing waived by the Municipal Council this

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

Report to Council



Date: August 9, 2021

To: Council

From: City Manager

Subject: Rezoning Bylaw No. 12244 for Z21-0004 Summary of Correspondence

Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated August 9, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12244;

AND THAT Rezoning Bylaw No. 12244 be forwarded for further reading consideration.

Purpose:

To receive a summary of correspondence for Rezoning Bylaw No. 12244 and to give the bylaw further reading consideration.

Background:

On July 12, 2021, Council passed a resolution directing staff to continue to recommend that Council waive the Public Hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff and are not expected to generate significant public input based on correspondence received at the time of the report to Council. This resolution is in effect until Council decides on a long-term option for electronic Council meetings and public hearings, expected later in 2021.

The public has the opportunity to submit written correspondence for applications where the Public Hearing has been waived. Notification is done through signage on the subject property, newspaper advertisements, and mailouts in accordance with the *Local Government Act* and Development Application Procedures Bylaw No. 10540.

Previous Council Resolution

Resolution	Date
AND THAT Council direct staff to continue to recommend that Council waive	July 12, 2021

the public hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff, and are not expected to generate significant public input based on correspondence received at the time of the report to Council until Council decides on a long-term option for electronic Council meetings and public hearings;	
--	--

Discussion:

Rezoning Application Z21-0004 for 575 Patterson Avenue was brought forward to Council for initial consideration on [July 12, 2021](#). At this meeting, Council passed a resolution to waive the Public Hearing and correspondence was accepted between July 14, 2021 and July 26, 2021.

The Office of the City Clerk received zero pieces of correspondence.

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following the public notification period, staff are recommending that Council give Rezoning Bylaw No. 12244, located at 575 Patterson Avenue, further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the *Local Government Act* and upon considering correspondence submitted, Council may choose to:

- give a bylaw further reading consideration,
- advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: R. Van Huizen, Legislative Technician

Approved for inclusion: S. Fleming, City Clerk

cc: Development Planning

CITY OF KELOWNA
BYLAW NO. 12244
Z21-0004
575 Patterson Avenue

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 Lot 13 District Lot 14, ODYD, Plan 3249 located on Patterson Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing 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 12th day of July, 2021.

Public Hearing waived by the Municipal Council this

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

Report to Council



Date: August 9, 2021
To: Council
From: City Manager
Subject: Rezoning Bylaw No. 12246 for Z21-0031 Summary of Correspondence
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated August 9, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12246;

AND THAT Rezoning Bylaw No. 12246 be forwarded for further reading consideration.

Purpose:

To receive a summary of correspondence for Rezoning Bylaw No. (insert bylaw number) and to give the bylaw further reading consideration.

Background:

On July 12, 2021, Council passed a resolution directing staff to continue to recommend that Council waive the Public Hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff and are not expected to generate significant public input based on correspondence received at the time of the report to Council. This resolution is in effect until Council decides on a long-term option for electronic Council meetings and public hearings, expected later in 2021.

The public has the opportunity to submit written correspondence for applications where the Public Hearing has been waived. Notification is done through signage on the subject property, newspaper advertisements, and mailouts in accordance with the *Local Government Act* and Development Application Procedures Bylaw No. 10540.

Previous Council Resolution

Resolution	Date
AND THAT Council direct staff to continue to recommend that Council waive	July 12, 2021

the public hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff, and are not expected to generate significant public input based on correspondence received at the time of the report to Council until Council decides on a long-term option for electronic Council meetings and public hearings;	
--	--

Discussion:

Rezoning Application Z21-0031 for 508 Trumpeter Road was brought forward to Council for initial consideration on [July 12, 2021](#). At this meeting, Council passed a resolution to waive the Public Hearing and correspondence was accepted between July 14, 2021 and July 26, 2021.

The Office of the City Clerk received zero pieces of correspondence.

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following the public notification period, staff are recommending that Council give Rezoning Bylaw No. 12246, located at 508 Trumpeter Road, further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the *Local Government Act* and upon considering correspondence submitted, Council may choose to:

- give a bylaw further reading consideration,
- advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: R. Van Huizen, Legislative Technician

Approved for inclusion:

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12264

Z21-0031

508 Trumpeter 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 Lot 5 Section 24 Township 28 SDYD Plan KAP90635 located on Trumpeter Road, Kelowna, BC from the RR3c – Rural Residential 3 with Carriage House zone to the RU1 – Large Lot Housing 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 12th day of July, 2021.

Public Hearing waived by the Municipal Council this

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. 12231

Z21-0020

155 Bryden 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 Lot A Section 27 Township 26 ODYD Plan EPP85221 located at Bryden Road, Kelowna, BC from the RM5 – Medium Density Multiple Housing zone to the RM5r – Medium Density Multiple Housing (Residential Rental Tenure Only) 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 14th day of June, 2021.

Public Hearing waived by the Municipal Council this 14th day of June, 2021.

Read a second and third time by the Municipal Council this 12th day of July, 2021.

Approved under the Transportation Act this 22nd day of July, 2021.

Sean Potter

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk