

**City of Kelowna**  
**Regular Council Meeting**  
**AGENDA**



Monday, January 9, 2023  
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.

This Meeting is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

**2. Confirmation of Minutes**

5 - 12

PM Meeting - December 5, 2022

**3. Development Application Reports & Related Bylaws**

**3.1 Hedeman Ct 5399 - Z22-0066 (BL12467) - Hedeman Property Holding Corp., Inc.No. BC1122411**

13 - 31

To rezone the subject property from the RU<sub>1</sub> – Large Lot Housing zone to the RU<sub>1c</sub> – Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.

**3.2 Dougall Rd N 285 305 McIntosh Rd 365 - Z22-0063 (BL 12468) - 285 Dougall Rd Development Ltd., Inc. No. 1348727**

32 - 53

To rezone the subject property from the UC<sub>4</sub> - Rutland Urban Centre zone to the UC<sub>4r</sub> - Rutland Urban Centre (Rental Only) zone to facilitate the development of rental apartment housing.

**3.3 Lakeshore Rd 4371 - Z22-0062 (BL12469) - Yong Zhang**

54 - 76

To rezone the subject property from the RU<sub>1</sub> – Large Lot Housing zone to the RU<sub>4</sub> – Duplex Housing zone to facilitate a 2-lot subdivision and the development of two dwellings in a semi-detached form.

<b>3.4</b>	<b>Turner Rd 4346 - Z22-0065 (BL12470) - Paul and Leah Williams</b>	77 - 98
	To rezone the subject property from the RU1 – Large Lot Housing zone to the RU2c – Medium Lot Housing with Carriage House zone to facilitate the construction of a carriage house.	
<b>3.5</b>	<b>Hewetson Ct 949 - Z22-0042 (BL 12473) - Upper Mission Development Inc., Inc.No. BC1224405</b>	99 - 123
	To rezone the subject property from the RU1 - Large Lot Housing zone to the MF2 - Townhouse Housing zone to facilitate a multi-family development.	
<b>3.6</b>	<b>Rezoning Bylaws Supplemental Report to Council</b>	124 - 125
	To receive a summary of notice of first reading for Rezoning Bylaws No. 12459, 12461, 12462, 12463, 12464, 12465 and to give the bylaws further reading consideration.	
<b>3.7</b>	<b>Rezoning Applications</b>	
	To give first, second and third reading to rezoning applications.	
	The following bylaws will be read together unless Council wants to separate one of the bylaws.	
<b>3.7.1</b>	<b>Hemlock Rd 645 - BL12459 (Z22-0058) - Aumol Properties Limited, Inc.No. BC1145527</b>	126 - 126
	To give Bylaw No. 12459 first, second and third reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU4 - Duplex Housing zone.	
<b>3.7.2</b>	<b>Berk Crt 662 - BL12461 (Z22-0054) - Siyu Li</b>	127 - 127
	To give Bylaw No. 12461 first, second and third reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU4 - Duplex Housing zone.	
<b>3.7.3</b>	<b>Eastbourne Rd 625 - BL12462 (Z22-0067) - Anthony and Kristen Kuchma</b>	128 - 128
	To give Bylaw No. 12462 first, 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.	
<b>3.7.4</b>	<b>Kneller Road 115, 175 - BL12463 (Z22-0014) - Okanagan Metis &amp; Aboriginal Society</b>	129 - 130
	To give Bylaw No. 12463 first, second and third reading in order to rezone portions of the subject properties from the RU1 - Large Lot Housing Zone and MF2 - Townhouse Housing zone to the MF3r - Apartment Housing Rental Only zone.	

3.7.5	<b>Kneller Road 175, 235, 239 &amp; Kneller Court 1161 - BL12464 (Z22-0013) - OKMAHS &amp; PRHC</b>	131 - 132
	To give Bylaw No. 12464 first, second and third reading in order to rezone portions of the subject properties from the RU1 - Large Lot Housing zone and the RU2 - Medium Lot Housing zone to the CA1r - Core Area Mixed Use Rental Only zone.	
3.7.6	<b>Welke Rd 699 - BL12465 (Z22-0050) - Yixian and Qian Liu</b>	133 - 133
	To give Bylaw No. 12465 first, second and third reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU4 - Duplex Housing zone.	
4.	<b>Bylaws for Adoption (Development Related)</b>	
4.1	<b>Upper Mission Dr 5548 - BL12442 (OCP21-0015) - Calcan Investments Inc., Inc. No. BC0383776</b>	134 - 135
	<b>Requires a majority of all members of Council (5).</b>	
	To adopt Bylaw No. 12442 in order to rezone portions of the subject property from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone.	
4.2	<b>Upper Mission Dr 5548 - BL12443 (Z21-0051) - Calcan Investments Inc., Inc. No. BC0383776</b>	136 - 137
	To adopt Bylaw No. 12443 in order to rezone portions of the subject property from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone.	
4.3	<b>Kloppenburg Rd 1760 - BL12445 (Z22-0055) - Ryan Kuchma and Rebekah Kuchma</b>	138 - 138
	To adopt Bylaw No. 12445 in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.	
4.4	<b>HWY 97 N 2592 - BL12457 (Z22-0069) - 647700 BC Ltd., Inc.No. 647700</b>	139 - 140
	To adopt Bylaw No. 12457 in order to rezone a portion of the subject property from the I1 – Business Industrial zone to the CA1 – Core Area Mixed Use zone.	
5.	<b>Non-Development Reports &amp; Related Bylaws</b>	
5.1	<b>Pandosy Waterfront Park Grants</b>	141 - 149
	To amend the 2022 Financial Plan to include the receipt of funds from the Provincial Community Economic Recovery Infrastructure Program and the Federal Canada Community Revitalization Fund for accessibility and inclusivity features at the Pandosy Waterfront Park.	
6.	<b>Resolutions</b>	

**6.1 Deputy City Clerk, Draft Resolution, re: Deputy Mayor Schedule 2022-2026** 150 - 150

To set the Deputy Mayor Schedule for the 2022-2026 Council Term.

**7. Bylaws for Adoption (Non-Development Related)**

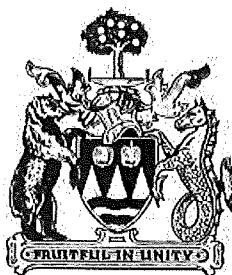
**7.1 BL12466 - Amendment No. 2 to Development Application & Heritage Procedures  
Bylaw No. 12310** 151 - 151

To adopt Bylaw No. 12466.

**8. Mayor and Councillor Items**

**9. Termination**





## City of Kelowna Regular Council Meeting Minutes

Date: Monday, December 5, 2022  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Members Present Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove; Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge

Staff Present City Manager, Doug Gilchrist\*; City Clerk, Stephen Fleming; Finance Director, Joe Sass\*; Community & Neighbourhood Services Manager, Mariko Siggers\*; Divisional Director, Planning & Development Services, Ryan Smith\*; Community Planning & Development Manager, Dean Strachan\*; Financial Planning Manager, Melanie Antunes\*; Acting Divisional Director, Joel Shaw\*

Staff participating Remotely Legislative Coordinator (Confidential), Clint McKenzie

Guest Ellen Boelke\*, Chair, Civic & Community Awards Steering Committee  
 (\* Denotes partial attendance)

### 1. Call to Order

Mayor Dyas called the meeting to order at 1:30 p.m.

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

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

### 2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

Ro877/22/12/05 THAT the Minutes of the Regular Meetings of November 28, 2022 be confirmed as circulated.

Carried

### 3. Reports

#### 3.1 2022 GFOA Budget Award Recipient Report

Staff:

- Presented the GFOA Distinguished Budget Award and responded to questions from Council.

#### 4. Committee Reports

##### 4.1 48th Annual Civic Awards Nomination Period

Staff introduced the Chair of the Committee.

##### Ellen Boelcke, Committee Chair

- Introduced the committee members.

- Provided comments on the opening of the award nomination period and encouraged the public to submit names.

#### 5. Development Application Reports & Related Bylaws

##### 5.1 Barnaby Rd 741 - Supplemental Report – Z22-0005 (BL12458) - Haidong Liu

Moved By Councillor Singh/Seconded By Councillor Cannan

**Ro878/22/12/05** THAT Council receives, for information, the Supplemental Report from the Office of the City Clerk dated December 5, 2022 regarding a Rezoning Bylaw that requires reading consideration;

AND THAT the Rezoning Application Z22-0005, located at 741 Barnaby Road, Kelowna, BC be forwarded to a Public Hearing for further consideration;

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**

##### 5.2 Barnaby Rd 741 - BL12458 (Z22-0005) - Haidong Liu

Moved By Councillor DeHart/Seconded By Councillor Lovegrove

**Ro879/22/12/05** THAT Bylaw No. 12458 be read a first time.

**Carried**

##### 5.3 Band Road 1150 - Z21-0083 (BL12456) - 1320467 B.C. Ltd., Inc.No. BC1320467

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor DeHart

**Ro880/22/12/05** THAT Rezoning Application No. Z21-0083 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1, Section 13, Township 26, ODYD Plan EPP122639 located at 1150 Band Road, Kelowna, BC and a portion of Band Road from the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot Housing zone and a portion of Band Road from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone as shown on Map “A” attached to the Report from the Development Planning Department dated December 5<sup>th</sup> 2022 be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule “A” attached to the Report from the Development Planning Department dated December 5<sup>th</sup> 2022;

AND THAT final adoption of the rezoning bylaw be considered subsequent to final adoption of a Road Closure Bylaw related to the closure of the road as shown on Schedule “B” attached to the Report from the Development Planning Department dated December 5<sup>th</sup> 2022.

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

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

**Carried**

#### **5.4 Road Closure - Band Road**

Staff:

- Provided an overview of the proposed Road Closure on a portion of excess road for consolidation.

#### **5.5 BL12460 - Road Closure Bylaw - Portion of road adjacent to 1150 Band Road**

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

**Ro881/22/12/05** THAT Bylaw No. 12460 be read a first, second and third time.

**Carried**

#### **5.6 Berk Court 662 - Z22-0054 (BL12461) - Siyu Li**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

**Ro882/22/12/05** THAT Rezoning Application No. Z22-0054 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot A District Lot 357 SDYD Plan 30572 Except Plan 37931, located at 662 Berk Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated December 5, 2022;

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

**Carried**

#### **5.7 Eastbourne Rd 625 - Z22-0067 (BL12462) - Anthony James Morris Kuchma and Kristen Nicole Kuchma**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

**Ro883/22/12/05** THAT Rezoning Application No. Z22-0067 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 111 Section 23 Township 26 ODYD Plan 24631, located at 625 Eastbourne Rd, 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 final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

**Carried**

**5.8 Kneller Rd 115, 175 - Z22-0014 (BL12463) - Okanagan Metis and Aboriginal Housing Society**

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Stack

**R0884/22/12/05** THAT Rezoning Application No. Z22-0014 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 1 Section 27 Township 26 ODYD Plan EPP63257, located at 175 Kneller Road, Kelowna, BC and portions of Parcel A (Plan B1566) of Lot 4 Section 27 Township 26 ODYD Plan 426 Except Plan 39686, located at 115 Kneller Rd, Kelowna, BC, from the RU1 – Large Lot Housing zone and MF2 – Townhouse Housing zone to the MF3r – Apartment Housing (Rental Only) zone as shown on Map “A” attached to the Report from the Development Planning Department dated December 5, 2022, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the to the outstanding conditions of approval as set out in Attachment “A” attached to the Report from the Development Planning Department dated December 5, 2022;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council’s consideration of a Development Permit and Development Variance Permit for the subject property.

**Carried**

**5.9 Kneller Rd 175, 235, 239 & Kneller Ct 1161 - Z22-0013 (BL12464) - OMAHS and PRHC**

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

**R0885/22/12/05** THAT Rezoning Application No. Z22-0013 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of:

1. Lot 1 Sections 26 and 27 Township 26 ODYD Plan KAP58054, located at 235 Kneller Road, Kelowna, BC;
2. Lot 2 Sections 26 and 27 Township 26 ODYD Plan KAP58054, located at 239 Kneller Road, Kelowna, BC;
3. Portions of Lot B Section 27 Township 26 ODYD Plan KAP73698, located at 1161 Kneller Court, Kelowna, BC;
4. Portions of Lot 1 Section 27 Township 26 ODYD Plan EPP63257, located at 175 Kneller Road, Kelowna, BC;

from the RU1 – Large Lot Housing zone and the RU2 – Medium Lot Housing zone to the CA1r – Core Area Mixed Use (Rental Only) zone as shown on Map “A” attached to the Report from the Development Planning Department dated December 5, 2022, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated December 5, 2022;

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

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

Carried

#### **5.10 Welke Rd 699 - Z22-0050 (BL12465) - Yixian Liu and Qian Liu**

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Webber

Ro886/22/12/05 THAT Rezoning Application No. Z22-0050 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 7 District Lot 358 ODYD Plan 21967, located at 699 Welke Road, Kelowna, BC from the RU1 – Large-Lot Housing zone to the RU4 – Duplex Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated December 5<sup>th</sup>, 2022;

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

#### **5.11 Rezoning Bylaws Supplemental Report to Council**

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro887/22/12/05 THAT Council receives, for information, the report from the Office of the City Clerk dated December 5, 2022 with respect to six rezoning applications;

AND THAT Rezoning Bylaws No. 12438, 12444, 12445, 12451, 12453 and 12457 be forwarded for further reading consideration.

Carried

#### **5.12 Rezoning Applications**

##### **5.12.1 Sumac Rd E 211 - BL12438 (Z22-0053) - Raghvir Kaur and Kulraj Singh Gill**

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro888/22/12/05 THAT Bylaw No. 12438 be read a first, second and third time and be adopted.

Carried

##### **5.12.2 McClure Rd 764 - BL12444 (Z22-0037) - David Kummer**

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro889/22/12/05 THAT Bylaw No. 12444 be read a first, second and third time and be adopted.

Carried

### 5.13 Rezoning Applications

#### 5.13.1 Kloppenburg Rd 1760 - BL12445 (Z22-0005) - Ryan Kuchma and Rebekah Kuchma

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

Ro890/22/12/05 THAT Bylaw No. 12445 be read a first, second and third time.

Carried

#### 5.13.2 Lund Rd 1233 - BL12451 (Z22-0049) - Paramdeep Singh Sidhu and Jagjit Kaur Sidhu

Moved By Councillor DeHart/Seconded By Councillor Lovegrove

Ro891/22/12/05 THAT Bylaw No. 12451 be read a first, second and third time.

Carried

#### 5.13.3 Welke Rd 689 - BL12453 (Z21-0102) - David Allan Glendinning

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

Ro892/22/12/05 THAT Bylaw No. 12453 be read a first, second and third time.

Carried

#### 5.13.4 HWY 97 N 2592 - BL12457 (Z22-0069) - 647700 BC Ltd., Inc.No. 647700

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

Ro893/22/12/05 THAT Bylaw No. 12457 be read a first, second and third time.

Carried

## 6. Non-Development Reports & Related Bylaws

### 6.1 2023 Financial Plan - Preliminary Budget Volume Overview

Staff displayed a PowerPoint Presentation providing an overview of the 2023 Financial Plan.

Moved By Councillor DeHart/Seconded By Councillor Hodge

Ro894/22/12/05 THAT Council receives for information, the presentation from the Financial Services Division dated December 5, 2022 with respect to the 2023 Financial Plan – Preliminary Budget Volume.

Carried

The meeting recessed at 2:36 p.m.

The meeting reconvened at 2: 42 p.m.

## 6.2 Planning and Development - Third Quarter Report

Staff:

- Displayed a PowerPoint Presentation summarizing development statistics for the third quarter of 2022 and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Cannan

**Ro895/22/12/05** THAT Council receives, for information, the report from the Planning and Development Services department dated December 5, 2022, with information relating to Planning and Development Statistics.

**Carried**

## 6.3 Development Application & Heritage Procedures Bylaw Amendment No. 2 - TA22-0017 - City of Kelowna

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

**Ro896/22/12/05** THAT Council direct staff to amend the Development Application & Heritage Procedures Bylaw to exempt the delegation of Development Permits that:

- a) are in the Heritage Area; or
- b) includes the removal of maturated trees; or
- c) has generated neighbourhood opposition

**Defeated**

Mayor Dyas, Councillors DeHart, Singh, Stack, Webber & Wooldridge - Opposed

Moved By Councillor Wooldridge/Seconded By Councillor Stack

**Ro897/22/12/05** THAT Council receives, for information, the report from the Development Planning Department, dated December 5, 2022, with respect to amending the Development Applications and Heritage Procedures Bylaw No. 12310 for changes to the delegation of authority requirements;

AND FURTHER THAT Bylaw No.12466 being Amendment No. 2 to the Development Applications and Heritage Procedures Bylaw be advanced for reading consideration.

**Carried**

Councillors Hodge and Lovegrove - Opposed

## 6.4 BL12466 - Amendment No. 2 to Development Application & Heritage Procedures Bylaw No. 12310

Moved By Councillor Stack/Seconded By Councillor DeHart

**Ro898/22/12/05** THAT Bylaw No. 12466 be read a first, second and third time.

**Carried**

Councillors Hodge and Lovegrove - Opposed

## 7. Bylaws for Adoption (Non-Development Related)

### 7.1 BL12428 - Amendment No. 4 to Kelowna Memorial Park Cemetery Bylaw No. 11664

Moved By Councillor Stack/Seconded By Councillor DeHart

**Ro899/22/12/05** THAT Bylaw No. 12428 be adopted.

Carried

**7.2 BL12431 - Amendment No. 39 to Airport Fees Bylaw No. 7982**

Moved By Councillor DeHart/Seconded By Councillor Stack

R0900/22/12/05 THAT Bylaw No. 12431 be adopted.

Carried

**8. Mayor and Councillor Items**

Mayor Dyas: Lobbyist Registry

-Introduced and provided comments on a lobbyist registry.

Councillors:

-Made individual comments.

Moved By Councillor Webber/Seconded By Councillor Lovegrove

R0901/22/12/05 THAT Council direct staff to bring forward options for the creation of a municipal lobbyist registry.

Carried

Mayor Dyas: Central Okanagan Journey Home Society

-Brought forward the deferred item from last week and recommended Council consider the resolution from the November 28,2022 agenda.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

R0902/22/12/05 THAT Council approves the revised Intermediary Agreement to accept the Reaching Home – Designated Communities grant funding over the next year to increase grant funding by \$80,850 for a grand total amount of \$149,573 from the Central Okanagan Foundation on behalf of the Central Okanagan Journey Home Society;

AND THAT Council authorizes the Divisional Director, Active Living & Culture, to execute all documents necessary to complete the revised Agreement for 2022-2023;

AND THAT Council supports a \$149,573 grant to the Central Okanagan Journey Home Society to support the Society’s work to develop and implement a coordinated access system to address homelessness in Kelowna;

AND FURTHER THAT the Financial Plan be amended to include receiving and granting the revised amount of an additional \$80,850 for 2022-2023.

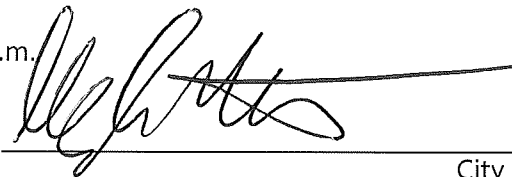
Councillor Lovegrove:

-Plans to bring forward Notices of Motion on various topics in the New Year.

Carried

**9. Termination**

This meeting was declared terminated at 3:54 p.m.



\_\_\_\_\_  
Mayor Dyas  
/cm

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



# REPORT TO COUNCIL



**Date:** January 9, 2023

**To:** Council

**From:** City Manager

**Department:** Development Planning Department

**Application:** Z22-0066      **Owner:** Hedeman Property Holding Corp., Inc.No. BC1122411

**Address:** 5399 Hedeman Ct      **Applicant:** Urban Options Planning Corp.

**Subject:** Rezoning Application

**Existing OCP Designation:** S-RES – Suburban Residential

**Existing Zone:** RU1 – Large Lot Housing

**Proposed Zone:** RU1c – Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z22-0066 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot A Section 23 Township 28 SDYD Plan 38762, located at 5399 Hedeman Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council.

## 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.

## 3.0 Development Planning

Staff support the proposed rezoning application to RU1c – Large Lot Housing with Carriage House zone to facilitate the construction of a carriage house on the property. The proposal meets the intent of the Official Community Plan (OCP) and the Future Land Use Designation of S-RES – Suburban Residential, which speaks to the accommodation of single and two dwelling growth, with opportunities for carriage houses in Suburban Neighbourhoods. The property is connected to City sanitary sewer and is within the Permanent Growth Boundary.

**4.0 Proposal**

**4.1 Project Description**

The proposed rezoning to the RU1c zone is to facilitate the construction of a carriage house in the southwest corner of the property. A portion of the existing poolhouse would be demolished, with the exception of the mechanical and equipment room, and replaced with the construction of the carriage house. The proposed development meets all setbacks and zoning bylaw regulations. Sufficient parking has been provided for the principal dwelling and the carriage house. Staff do not anticipate any significant negative impacts to the neighbouring properties.

**4.2 Site Context**

The subject property is located on Hedeman Court and is within the Southwest Mission neighbourhood. The surrounding area consists primarily of RU1 – Large Lot Housing zoned parcels. The property is in close proximity to Leon Creek Linear Park.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Ru1 – Large Lot Housing	Single Detached Dwelling
East	Ru1 – Large Lot Housing	Single Detached Dwelling
South	Ru1 – Large Lot Housing	Single Detached Dwelling
West	Ru1 – Large Lot Housing	Single Detached Dwelling

**Subject Property Map: 5399 Hedeman Ct**



**5.0 Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Objective 7.2 Design Suburban Neighbourhoods to be low compact, context sensitive and adaptable (Chapter 7: Suburban Neighbourhoods)	
Policy 7.2.1 Ground Oriented Housing	Consider a range of low-density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities
	<i>The proposed carriage home is sensitive to the neighbourhood with respect to building design, height, and siting. The S-RES future land use designation supports opportunities for carriage houses. The carriage house is a form of residential infill that allows for the modest intensification of density in an existing neighbourhood.</i>

**6.0 Technical Comments**

6.1 Development Engineering Department

6.1.1 See attached Memorandum dated, October 25, 2022.

**7.0 Application Chronology**

Date of Application Accepted: October 6, 2022  
 Date Public Consultation Completed: November 21, 2022

**Report prepared by:** Sara Skabowski, Planner 1  
**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: Development Drawings

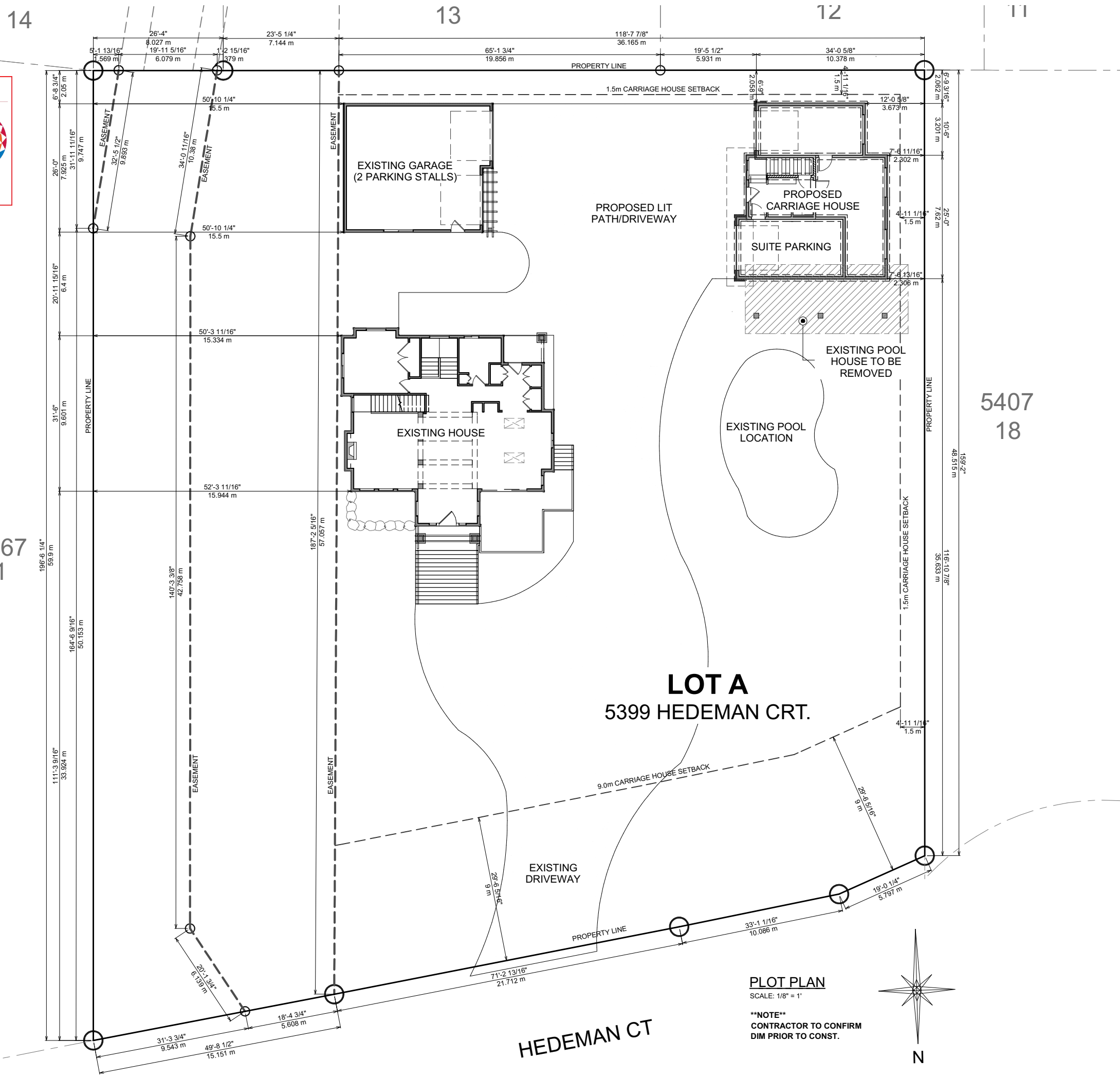
**ATTACHMENT A**

This forms part of application  
# Z22-066

Planner Initials **SS**



5367  
1

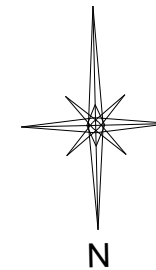


**LOT A**  
5399 HEDEMAN CRT.

**PLOT PLAN**

SCALE: 1/8" = 1'

**\*\*NOTE\*\***  
CONTRACTOR TO CONFIRM  
DIM PRIOR TO CONST.



HEDEMAN CT

5407  
18

SHEET NUMBER

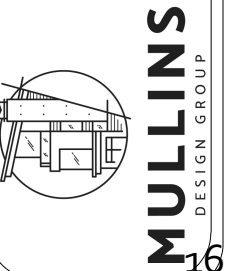
**2/3**

SCALE: 1/4" = 1'

DATE : OCT-18-2022

PROPOSED PROJECT FOR  
**FLOYD RESIDENCE**  
5399 HEDEMAN CRT

UNIT 203 - 1889 SPALL RD.  
Kelowna BC V1Y 4R2  
Bus: (250) 717-3415  
Cell: (250) 258-7819  
E-mail: mullinsdrafting@shaw.ca



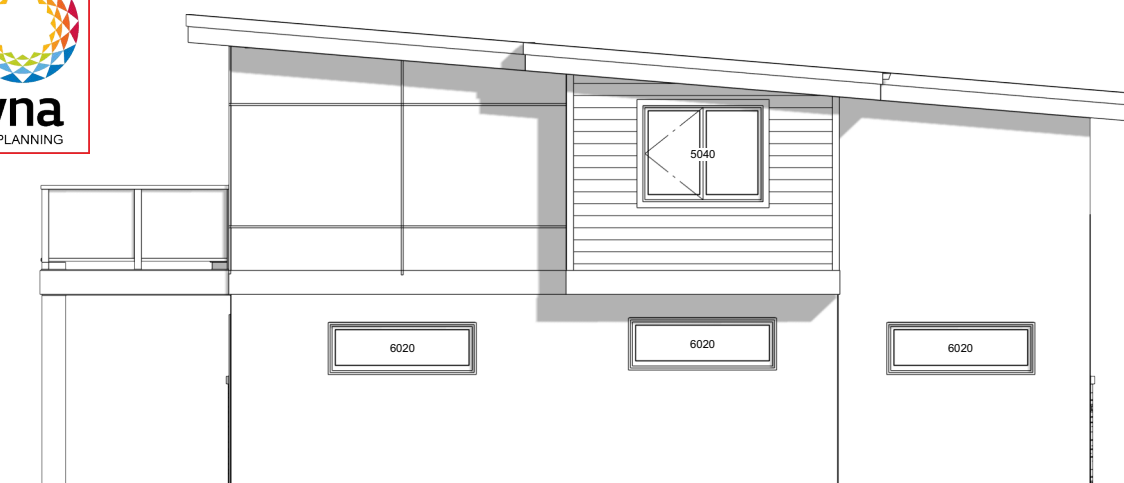
**ATTACHMENT A**

This forms part of application  
# Z22-066

Planner Initials **SS**



**FRONT ELEVATION**



**REAR ELEVATION**



**LEFT ELEVATION**



**RIGHT ELEVATION**



SHEET NUMBER

**1/3**

SCALE: 1/4" = 1'

DATE : OCT-18-2022

PROPOSED PROJECT FOR

**FLOYD RESIDENCE**

**5399 HEDEMAN CRT**

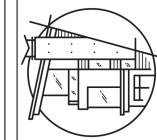
**UNIT 203 - 1889 SPALL RD.**

**Kelowna BC V1Y 4R2**

Bus: (250) 717-3415

Cell: (250) 258-7819

E-mail: [mullinsdrafting@shaw.ca](mailto:mullinsdrafting@shaw.ca)



**MULLINS**  
DESIGN GROUP

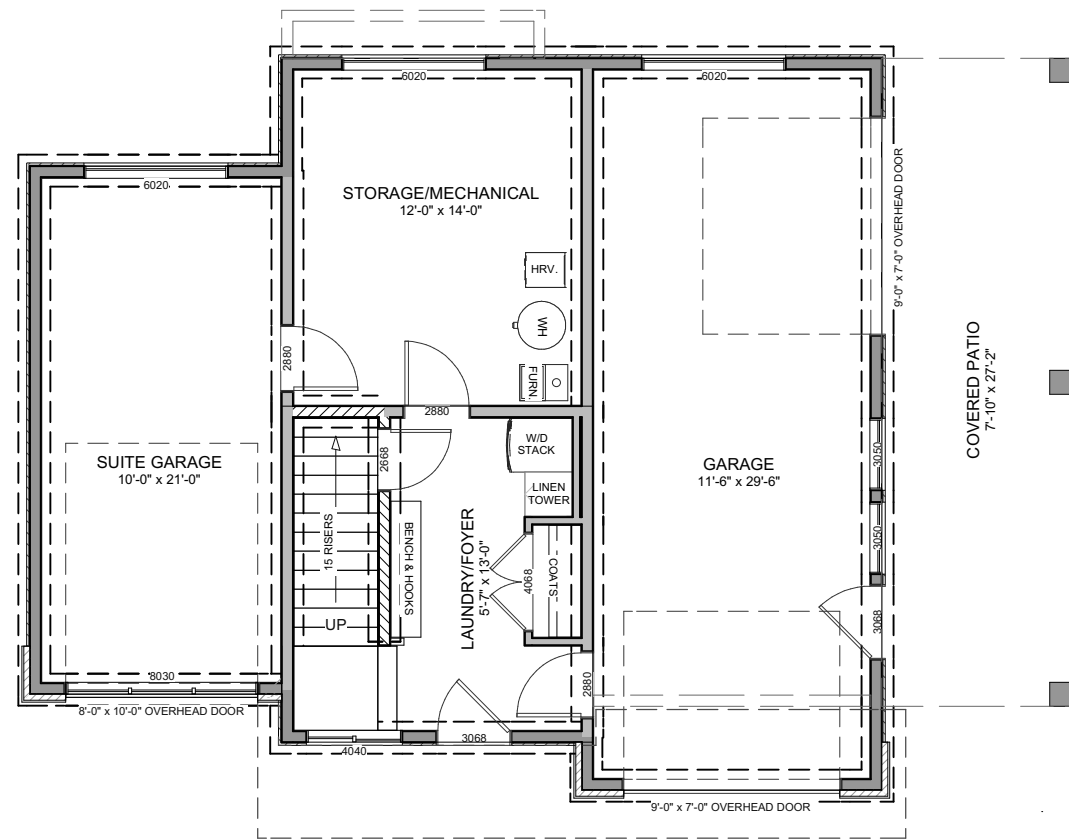


**ATTACHMENT A**

This forms part of application

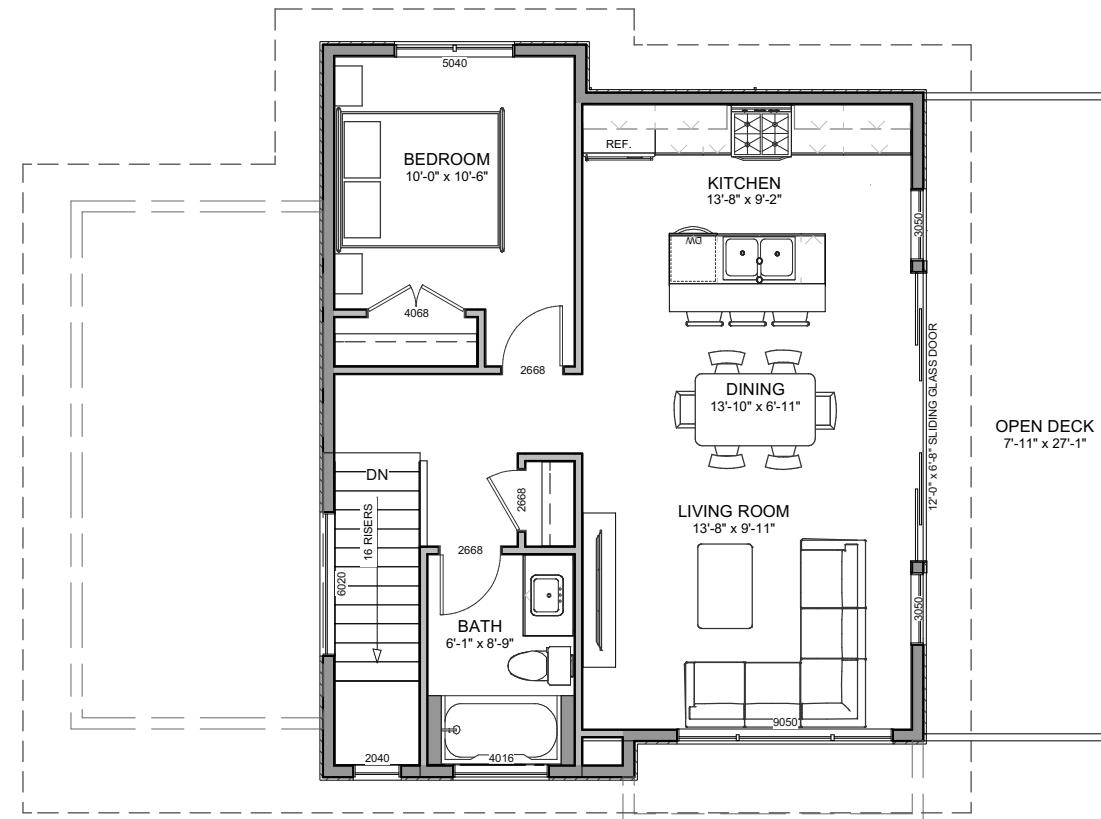
# Z22-066

Planner Initials **SS**



**LOWER FLOOR**

ENTRY AREA: 181 SQ. FT.  
 GARAGE: 787 SQ. FT.  
 (INCLUDES STORAGE/MECH)  
 TOTAL AREA: 968 SQ. FT.



**MAIN FLOOR**

AREA: 659 SQ. FT.  
 (EXCLUDING STAIRS)

SHEET NUMBER

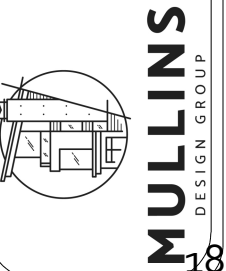
**3/3**

SCALE: 1/4" = 1'

DATE : OCT-18-2022

PROPOSED PROJECT FOR  
**FLOYD RESIDENCE**  
 5399 HEDEMAN CRT

UNIT 203 - 1889 SPALL RD.  
 Kelowna BC V1Y 4R2  
 Bus: (250) 717-3415  
 Cell: (250) 258-7819  
 E-mail: mullinsdrafting@shaw.ca



**CITY OF KELOWNA**  
**BYLAW NO. 12467**  
**Z22-0066**  
**5399 Hedeman Court**

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot A Section 23 Township 28 SDYD Plan 38762 located on Hedeman Court, Kelowna, BC from the RU<sub>1</sub> – Large Lot Housing zone to the RU<sub>1c</sub> – 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, 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**

Z22-0066

5399 Hedeman Ct

Rezoning Application



# Proposal

- ▶ To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone to facilitate the construction of a carriage house.

# Rezoning

- ▶ “Is this proposed land use and density appropriate for this property?”
  
- ▶ Considerations & Regulations:
  - ▶ Uses of land, building, & structures
  - ▶ Density of use of land (FAR)
  - ▶ Site access
  - ▶ Based on OCP Policies including Future Land Use

# Development Process



October 6

Development Application Submitted



Staff Review & Circulation



November 21

Public Notification Received



January 9

Initial Consideration



First, Second & Third Readings



Final Reading

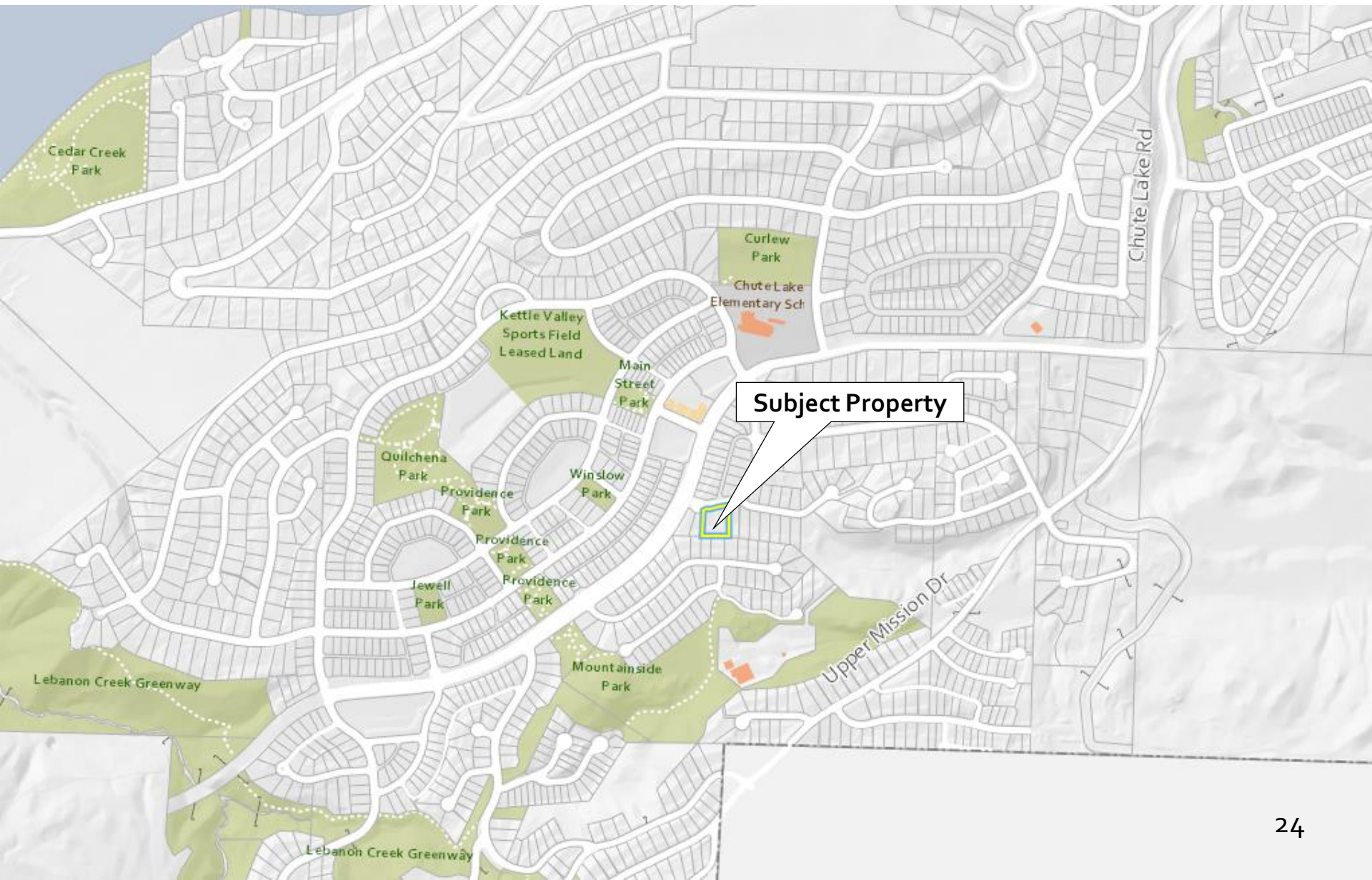


Building Permit



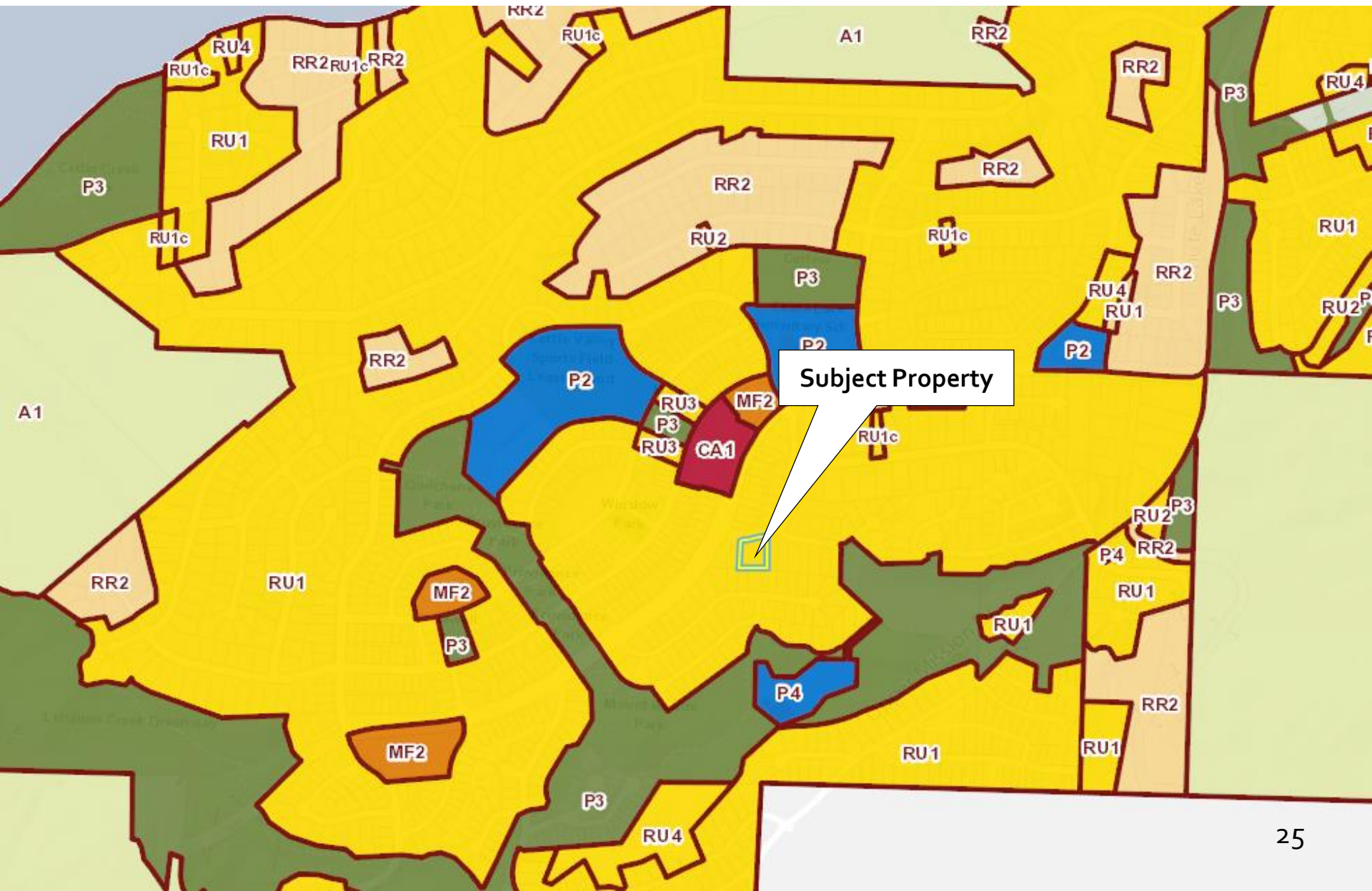
Council Approvals

# Context Map





# OCP Future Land Use / Zoning





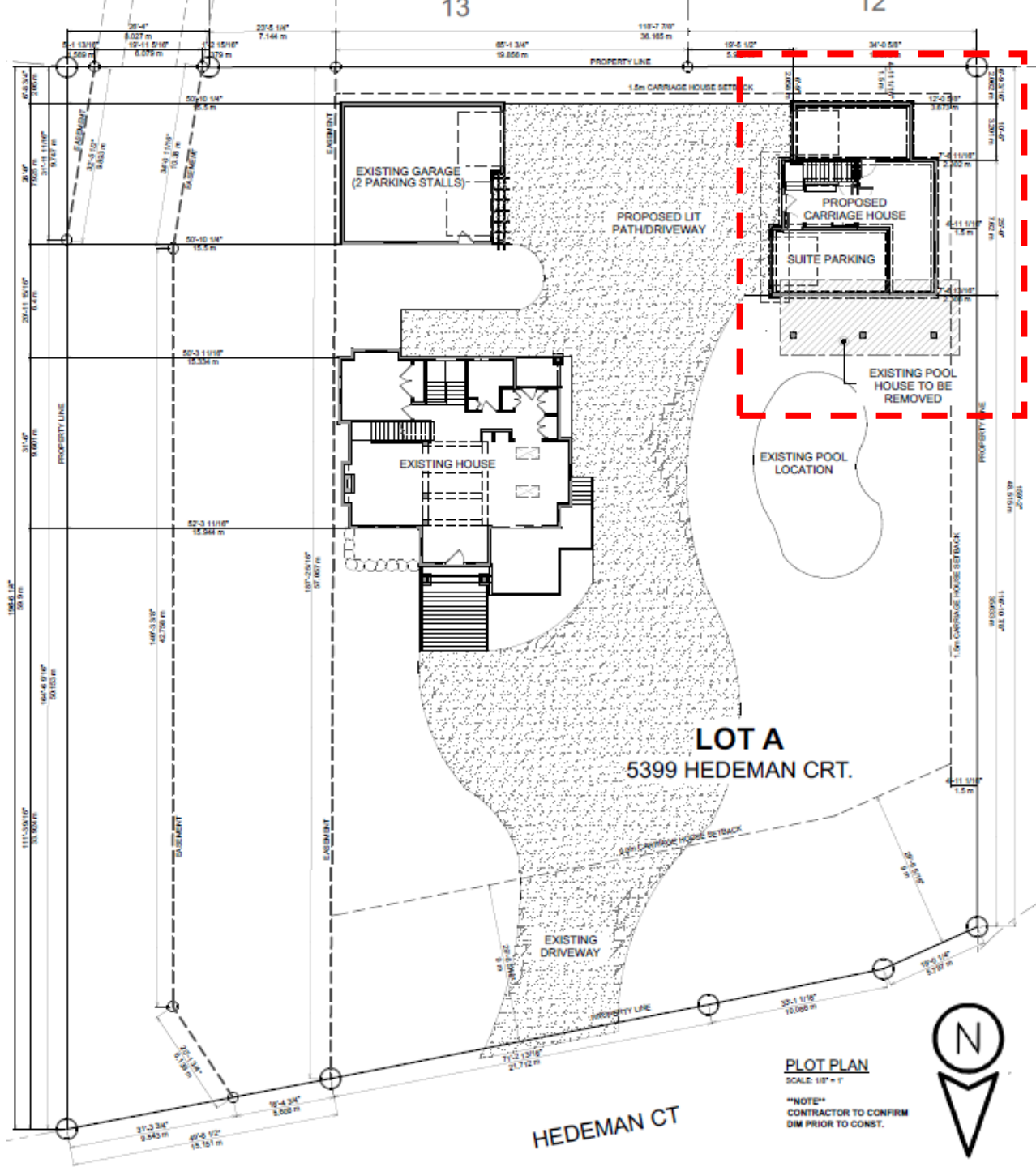
# Subject Property Map



# Project/technical details

- ▶ Carriage house building footprint of 89.9 sq.m.
- ▶ Partial demolition of existing pool house; mechanical and equipment room is to remain.
- ▶ All Zoning Bylaw regulations have been met.

# Site Plan

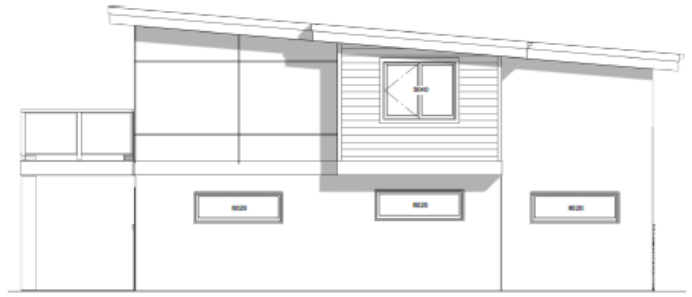




# Elevations



**FRONT ELEVATION**



**REAR ELEVATION**



**LEFT ELEVATION**



**RIGHT ELEVATION**



# OCP Objectives & Policies

- ▶ Objective 7.1: Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable
  - ▶ Carriage House is a low-impact increase in density
- ▶ Policy 7.2.1: Ground Oriented Housing
  - ▶ Carriage House is ground oriented
  - ▶ Improves housing diversity

# Staff Recommendation

- ▶ Staff recommend **support** of the proposed Rezoning:
  - ▶ Within the Permanent Growth Boundary
  - ▶ Future Land Use Designation of S-RES
  - ▶ Meets OCP Objectives and Policies

# REPORT TO COUNCIL



**Date:** January 9, 2023

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z22-0063      **Owner:** 285 Dougall Road Development Ltd., Inc. No. BC1348727

**Address:** 285 & 305 Dougall Rd N & 365 McIntosh Rd      **Applicant:** Zeidler Architecture – Steven Belt

**Subject:** Rezoning Application

**Existing OCP Designation:** UC - Urban Centre

**Existing Zone:** UC<sub>4</sub> – Rutland Urban Centre

**Proposed Zone:** UC<sub>4r</sub> – Rutland Urban Centre (Rental Only)

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## 1.0 Recommendation

THAT Rezoning Application No. Z22-0063 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of:

- a. Lot 16 Section 26 Township 26 ODYD Plan 9924, located at 285 Dougall Rd N, Kelowna, BC;
- b. Lot 17 Section 26 Township 26 ODYD Plan 9924, located at 305 Dougall Rd N, Kelowna, BC;
- c. Lot 18 Section 26 Township 26 ODYD Plan 9924, located at 365 McIntosh Rd, Kelowna, BC;

from the UC<sub>4</sub> – Rutland Urban Centre zone to the UC<sub>4r</sub> – Rutland Urban Centre (Rental Only) zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated January 9, 2023;

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

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

## 2.0 Purpose

To rezone the subject property from the UC<sub>4</sub> – Rutland Urban Centre zone to the UC<sub>4r</sub> – Rutland Urban Centre (Rental Only) zone to facilitate the development of rental apartment housing.

## 3.0 Development Planning

Staff support the proposal to rezone the subject properties to the UC<sub>4r</sub> – Rutland Urban Centre (Rental Only) zone. The proposed rezoning will facilitate the development of a 6-storey rental apartment building which conforms with the Official Community Plan (OCP) Future Land Use Designation of Urban Centre. The proposed rental apartment housing use is consistent with OCP policies which encourage medium and high density residential development and diverse housing tenures within the Urban Centre.

## 4.0 Proposal

### 4.1 Project Description

The proposed rezoning from the UC<sub>4</sub> – Rutland Urban Centre zone to the UC<sub>4r</sub> – Rutland Urban Centre (Rental Only) zone will facilitate the development of apartment housing on the subject property. The proposed apartment building would be six stories in height and contain approximately 83 rental units. Vehicle access would be provided from the rear laneway. Dedication of a new laneway along the southern boundary of the subject site is required as the existing laneway exiting onto McIntosh Road will be closed in the future to remove driveway accesses crossing a future Active Transportation Corridor.

### 4.2 Site Context

The subject properties are located at the intersection of McIntosh Road and Dougall Road N, in the Rutland Urban Centre. All surrounding properties are within the Urban Centre and developed with a variety of single family dwellings and apartment buildings. The Rutland Transit Exchange is 100 m to the south and Rutland Centennial Park is 175 m to the east.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	UC <sub>4</sub> – Rutland Urban Centre	Apartment Housing
East	UC <sub>4</sub> – Rutland Urban Centre	Apartment Housing
South	UC <sub>4</sub> – Rutland Urban Centre	Single Detached Housing
West	UC <sub>4</sub> – Rutland Urban Centre	Apartment Housing and Commercial (under construction)

**Subject Property Map: 285 & 305 Dougall Rd N and 365 McIntosh Rd**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

<b>Objective 4.1 Strengthen the Urban Centres as Kelowna’s primary hubs of activity.</b>	
Policy 4.1.6 High Density Residential Development	Direct medium and high density development to Urban Centres to provide a greater mix of housing near employment and to maximize use of existing and new infrastructure, services, and amenities.
	<i>The proposed rezoning is in support of increasing residential density within the Urban Centre.</i>
<b>Objective 4.12 Increase the diversity of housing types and tenures to create inclusive, affordable and complete Urban Centres.</b>	
Policy 4.12.3 Diverse Housing Tenures	Encourage a range of rental and ownership tenures that support a variety of households, income levels and life stages. Promote underrepresented forms of tenure, including but not limited to co-housing, fee-simple row housing, co-ops, and rent-to-own.
	<i>The proposed Rental Only zoning will ensure the proposed apartment housing will be developed and maintained as long-term rental units.</i>

**6.0 Technical Comments**

**6.1 Development Engineering Department**

- See Attachment A

7.0 **Application Chronology**

Date of Application Accepted: October 5, 2022

Date Public Consultation Completed: December 19, 2022

**Report prepared by:** Mark Tanner, Planner II

**Reviewed by:** Lydia Korolchuk, Urban Planning Manager

**Reviewed by:** Terry Barton, Development Planning Department Manager

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

**Attachments:**

Attachment A: Development Engineering Memo

Attachment B: Site Plan

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**CITY OF KELOWNA**  
**MEMORANDUM**

---

**Date:** October 25, 2022  
**File No.:** Z22-0063  
**To:** Planning and Development Officer (MT)  
**From:** Development Engineering Manager (NC)  
**Subject:** Dougall Rd N 285, 305 McIntosh Rd 365

**ATTACHMENT A**

This forms part of application  
# Z22-0063

Planner Initials MT



City of  
**Kelowna**  
COMMUNITY PLANNING

UC4 to UC4R

---

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from the UC4 – Rutland Urban Centre zone to the UC4r – Rutland Urban Centre (Rental Only) zone. The Development Technician for this file is Sarah Kelly ([skelly@kelowna.ca](mailto:skelly@kelowna.ca)).

**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. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, [arif.bhatia@canadapost.ca](mailto:arif.bhatia@canadapost.ca) to obtain further information and to determine suitable location(s) within the development.
- c. This property is located within the 800m MoTI Highway Buffer therefore, Development Engineering comments/requirements may be subject to review by the Ministry of Transportation and Infrastructure (MoTI).
- d. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

**2. DOMESTIC WATER AND FIRE PROTECTION**

- a. The subject lot is within the Rutland Waterworks District (RWD) water supply area. The Developer is required to make satisfactory arrangements with RWD for all water and fire protection-related issues. All charges for service connection(s) and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the Developer.
- b. The Developer's consulting mechanical engineer will determine the fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by RWD are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.



### 3. **SANITARY SEWER SYSTEM**

- a. Our records indicate that the subject lots are currently each serviced with a 100-mm diameter sanitary sewer service. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.
- b. Only one service will be permitted for each legal lot. The existing service must be completed with installation of brooks box over the inspection chamber and (as per SS-S7 & SS-S9), at the applicants cost.

### 4. **STORM DRAINAGE**

- a. The property is located within an area identified by the City of Kelowna as possibly suited for groundwater recharge. Service connection to the City storm system, complete with onsite detention and flow control, is required for all multi-family land uses.
- b. The City will not permit infiltration to ground except for foundation drainage, safe use of infiltration is to be confirmed with submission of a geotechnical report provided by a Professional Engineer competent in the field of hydro-geotechnical engineering. The Lot Grading Plan must show the design and location of this system as well as the the interaction between this system and any retaining walls on the property.
- c. Provide the following drawings:
  - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
  - ii. A detailed Stormwater Management Plan for this subdivision; and,
  - iii. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- d. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 Detention Storage.
- e. As per Bylaw 7900, Schedule 4, Section 3.1.3 Climate Change, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, and applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- f. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- g. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.
- h. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# Z22-0063		
Planner Initials	MT	 City of <b>Kelowna</b> COMMUNITY PLANNING

## 5. ROAD IMPROVEMENTS & SITE ACCESS

- a. McIntosh Rd is classified in the 2040 OCP as an Urban Center Collector road and must be upgraded to an urban standard along the full frontage of the subject property. Required upgrades to include curb and gutter, separated sidewalk, curb extension at Dougall and McIntosh intersection, LED street lighting, landscaped and irrigated boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- b. The City wishes to defer all upgrades to McIntosh Rd fronting this development as these works are to be included in the City led Active Transportation Corridor Project. Therefore, a cash-in-lieu of immediate construction payment is required and the City will initiate the work later, on its own construction schedule. The cash-in-lieu amount is determined to be **\$50,300** not including utility service costs.
- c. Dougall Rd N is classified in the 2040 OCP as an Urban Center Collector road and must be upgraded to an urban standard along the full frontage of the subject property. Required upgrades to include curb and gutter, removal of sidewalk, installation of new separated sidewalk, LED street lighting, burial of overhead wires, landscaped and irrigated boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Cross section to be provided, upon request, at time of detailed design.
- d. Dedication and construction of a 3.8m wide, one way lane east-west lane, along the south property line of 285 Dougall Rd N will be required of this development. Lane is to be constructed to a modified SS-R2 Commercial Lane standard and include storm drainage system.
- e. All Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IIABC, are to be included as a line item in the estimate for the Servicing Agreement performance security. Landscape and irrigation plans require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.
- f. Streetlights must be installed on all public roads. All streetlighting plans are to include photometric calculations demonstrating Bylaw 7900 requirements are met and approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.

## 6. POWER AND TELECOMMUNICATION SERVICES

- a. This development will be responsible for burial of all overhead wires and removal of poles fronting the subject lots.
- b. All proposed distribution and service connections are to be installed underground. It is the developer’s responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant’s cost.
- c. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City’s Development Manager. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# Z22-0063		
Planner Initials	MT	 <b>City of Kelowna</b> <small>COMMUNITY PLANNING</small>

## 7. GEOTECHNICAL STUDY

- a. At the time of Building Permit application the applicant is required to provide a comprehensive geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address items below:
  - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
  - ii. Site suitability for development.
  - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
  - iv. Any special requirements for construction of roads, utilities, and building structures.
  - v. Recommendations for items that should be included in a Restrictive Covenant.
  - vi. Recommendations for roof drains and perimeter drains.
  - vii. Recommendations for erosion and sedimentation controls for water and wind.
  - viii. Any items required in other sections of this document.
- b. Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

**NOTE:** The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

- c. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

“Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.”

The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia's Professional Practice Guidelines for Retaining Wall Design. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of Retaining Wall Design Guideline) and any necessary independent reviews (as per EGBC's Documented Independent Review of Structural Designs).

- d. Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# Z22-0063		
Planner Initials	MT	 City of <b>Kelowna</b> COMMUNITY PLANNING

## 8. ROAD DEDICATION & SITE RELATED REQUIREMENTS

- a. Approximately 2.5m dedication along the McIntosh Rd frontage is required to achieve a ROW width of 20.0m.
- b. Approximately 2.5m dedication along the entire frontage of Dougall Rd N is required to achieve a ROW width of 20.0m.
- c. Dedication of 3.8m is required along the south property line of 285 Dougall Rd N for half of a future urban center lane with ROW width of 7.6m.
- d. A corner cut of 285 Dougall Rd N south east property corner, at the intersection between lanes, will be required. Dimensions of the corner cut are to be determined by the Developer's consulting civil engineer and confirmed through submission of turning movements and sightline analysis for the intersection.
- e. Existing driveways on McIntosh Rd and Dougall Rd must be removed and all access to the development must be provided off the Lane.
- f. Indicate on the site, the locations of loading bays as well as garbage and recycle bins. Provide turning movements for a HSU vehicle to confirm manoeuvrability of garbage collection without requiring reverse movement onto McIntosh Rd or Dougall Rd N. Garbage pickup from street is not permitted.

## 9. DESIGN AND CONSTRUCTION

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

## 10. SERVICING AGREEMENT FOR WORKS AND SERVICES

- a. A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.



- b. Part 3, “Security for Works and Services”, of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

**11. CHARGES AND FEES**

- a. Development Cost Charges (DCC’s) are payable.
- b. Cash-in-lieu of construction payment to defer frontage upgrades:  
*\*Approved payment methods are bank draft or certified cheque.*
  - i. McIntosh Rd Frontage Upgrades \$50,300.00
  - ii. Engineering and Inspection Fee \$1,477.74  
(\$1,407.37 + \$70.37 GST)
- c. Fees per the “Development Application Fees Bylaw” include:
  - i. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
  - ii. Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
  - iii. Engineering and Inspection Fee: 3.5% of construction value (plus GST).


**ATTACHMENT A**

This forms part of application  
# Z22-0063

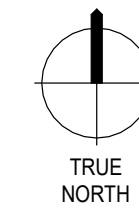
Planner Initials **MT**



City of  
**Kelowna**  
COMMUNITY PLANNING

  
\_\_\_\_\_  
Nelson Chapman, P.Eng.  
Development Engineering Manager  
SK





**Zeidler Architecture**

300, 640 - 8 Avenue SW  
Calgary, Alberta T2P 1G7  
T 403 233 2525 | zeidler.com



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1	DP SUBMISSION	2022-09-20
NO.	ISSUE/ REVISION	DATE

NOT FOR CONSTRUCTION

PROJECT  
**DOUGALL RD.**

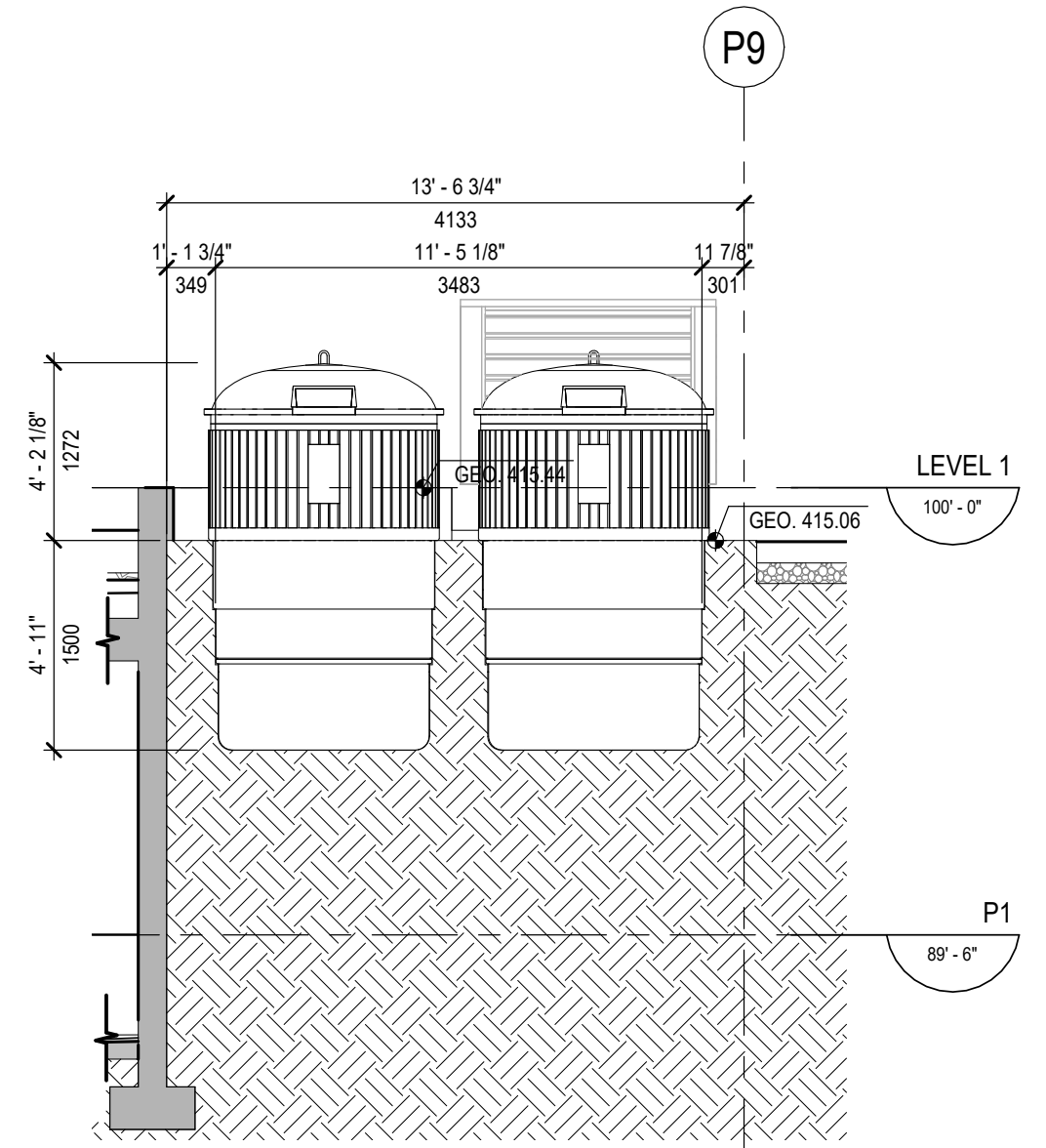
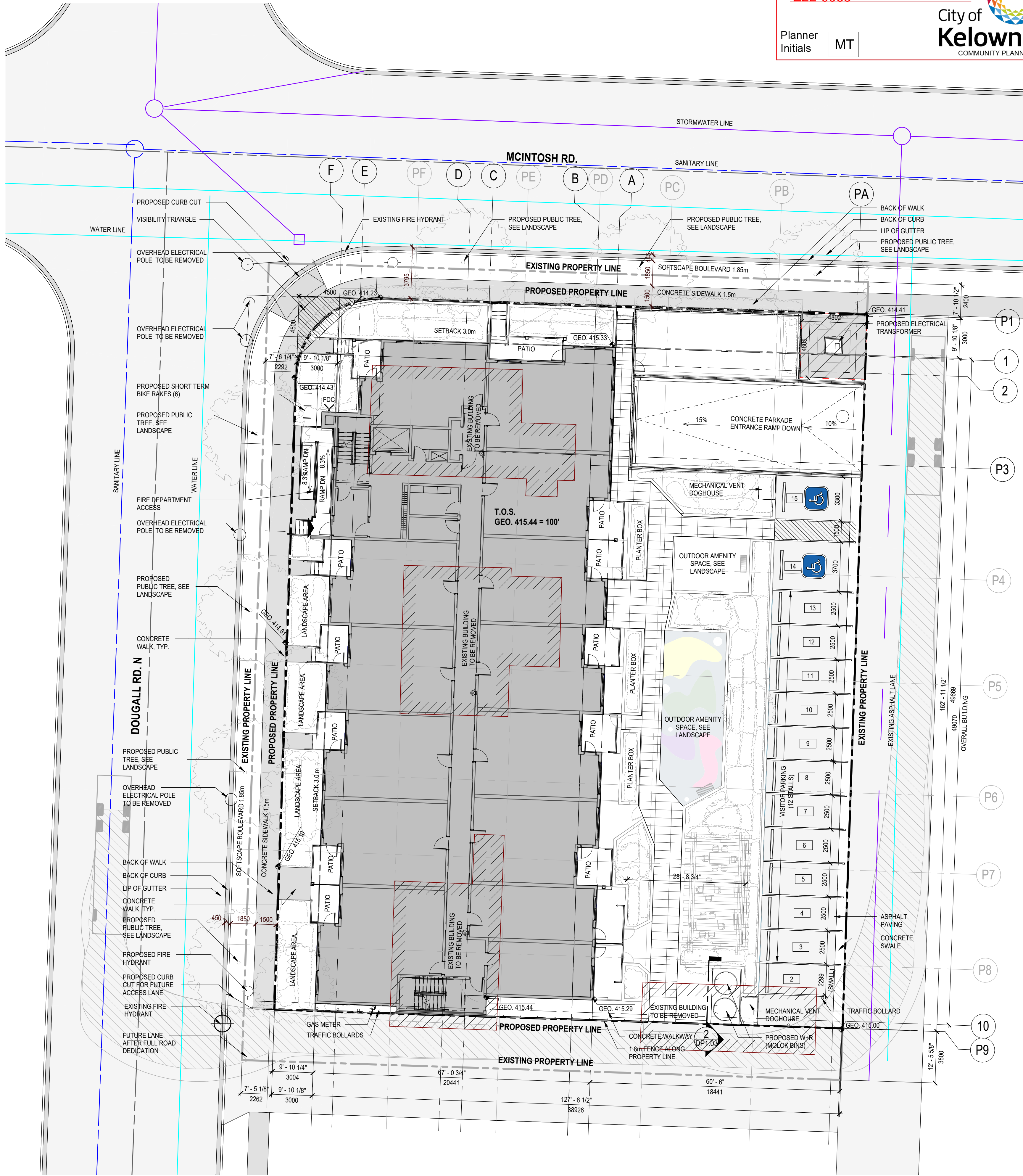
PROJECT ADDRESS  
285-365 DOUGALL RD. N  
KELOWNA, BC

TITLE  
**SITE PLAN**

PROJECT NO.	DRAWN	CHECKED
222-050	Author	Checker

DRAWING NO.	REVISION NO.
<b>DP1.03</b>	1

PROJECT INFORMATION																																											
MUNICIPAL ADDRESS:	285 - 365 DOUGALL ROAD NORTH KELOWNA, BC																																										
LEGAL ADDRESS:	PLAN: KAP9924, TOWNSHIP 26, SECTION 26; LOTS: 16, 17, 18																																										
COMMUNITY:	RUTLAND																																										
LAND USE DESIGNATION:	UC4																																										
PARCEL AREA:	2,601.6 m <sup>2</sup> AFTER DEDICATION: 2,202 m <sup>2</sup>																																										
BUILDING AREA (FOOTPRINT):	939.62 m <sup>2</sup>																																										
BUILDING AREA (NET):	<table border="1"> <thead> <tr> <th>Level</th> <th>Area</th> <th>Area</th> </tr> </thead> <tbody> <tr> <td>LEVEL 1</td> <td>765.2 m<sup>2</sup></td> <td>8237 ft<sup>2</sup></td> </tr> <tr> <td>LEVEL 2</td> <td>803.5 m<sup>2</sup></td> <td>8648 ft<sup>2</sup></td> </tr> <tr> <td>LEVEL 3</td> <td>803.5 m<sup>2</sup></td> <td>8648 ft<sup>2</sup></td> </tr> <tr> <td>LEVEL 4</td> <td>803.5 m<sup>2</sup></td> <td>8648 ft<sup>2</sup></td> </tr> <tr> <td>LEVEL 5</td> <td>803.5 m<sup>2</sup></td> <td>8648 ft<sup>2</sup></td> </tr> <tr> <td>LEVEL 6</td> <td>752.9 m<sup>2</sup></td> <td>8104 ft<sup>2</sup></td> </tr> <tr> <td></td> <td>4731.9 m<sup>2</sup></td> <td>50933 ft<sup>2</sup></td> </tr> </tbody> </table>			Level	Area	Area	LEVEL 1	765.2 m <sup>2</sup>	8237 ft <sup>2</sup>	LEVEL 2	803.5 m <sup>2</sup>	8648 ft <sup>2</sup>	LEVEL 3	803.5 m <sup>2</sup>	8648 ft <sup>2</sup>	LEVEL 4	803.5 m <sup>2</sup>	8648 ft <sup>2</sup>	LEVEL 5	803.5 m <sup>2</sup>	8648 ft <sup>2</sup>	LEVEL 6	752.9 m <sup>2</sup>	8104 ft <sup>2</sup>		4731.9 m <sup>2</sup>	50933 ft <sup>2</sup>																
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TOTAL SITE COVERAGE:	41.6%																																										
MAIN FLOOR ELEVATION:	100' = 415.44 GEODETIC																																										
ROOF PEAK (FLAT ROOF):	434.38 GEODETIC																																										



**2 SITE SECTION - W+R (MOLOK BINS)**  
DP1.03 SCALE: 1/4" = 1'-0"

**1 SITE PLAN**  
DP1.03 SCALE: 1:150



**CITY OF KELOWNA**

**BYLAW NO. 12468**

**Z22-0063**

**285, 305 Dougall Road N & 365 McIntosh Road**

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of:  
  
Lot 16 Section 26 Township 26 ODYD Plan 9924, located at 285 Dougall Rd N, Kelowna, BC;  
Lot 17 Section 26 Township 26 ODYD Plan 9924, located at 305 Dougall Rd N, Kelowna, BC;  
Lot 18 Section 26 Township 26 ODYD Plan 9924, located at 365 McIntosh Rd, Kelowna, BC;  
  
from the UC<sub>4</sub> – Rutland Urban Centre zone to the UC<sub>4r</sub> – Rutland Urban Centre (Rental 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, second and third time by the Municipal Council this

Approved under the Transportation Act this

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(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



City of  
**Kelowna**

**Z22-0063**

**285 & 305 Dougall Rd N & 365 McIntosh Rd**

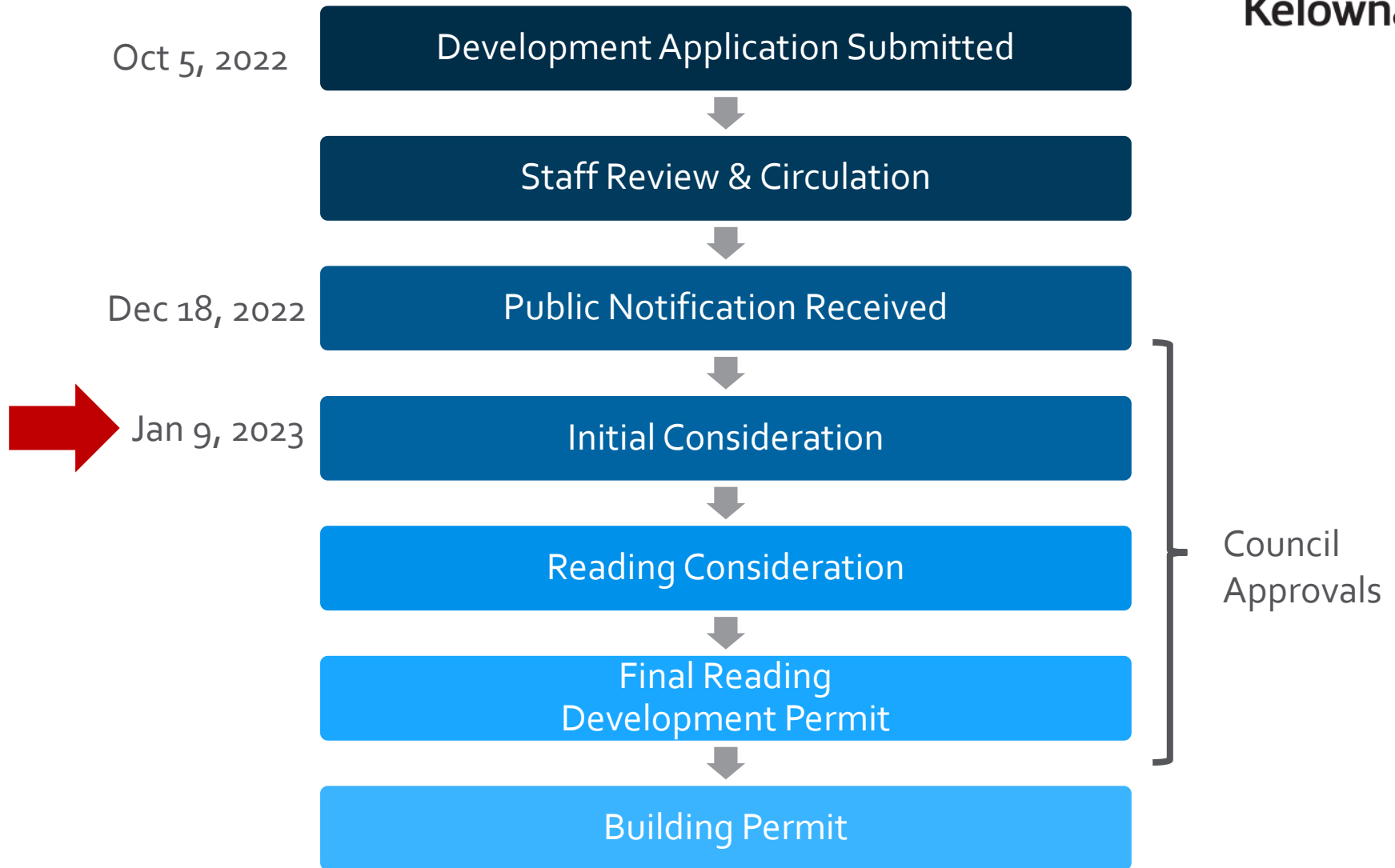
**Rezoning Application**



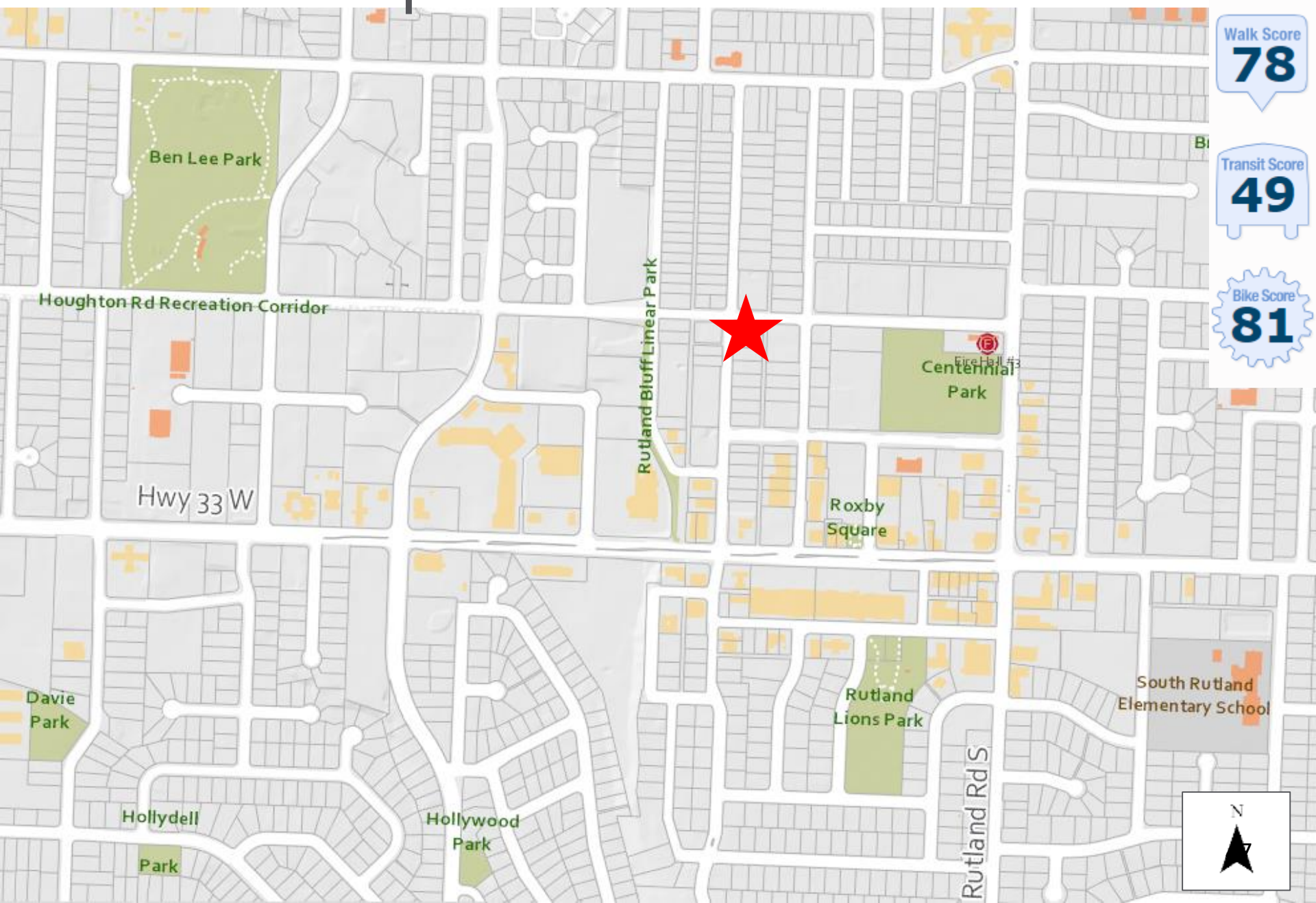
# Proposal

- ▶ To rezone the subject property from the UC<sub>4</sub> – Rutland Urban Centre zone to the UC<sub>4r</sub> – Rutland Urban Centre (Rental Only) zone to facilitate the development of rental apartment housing.

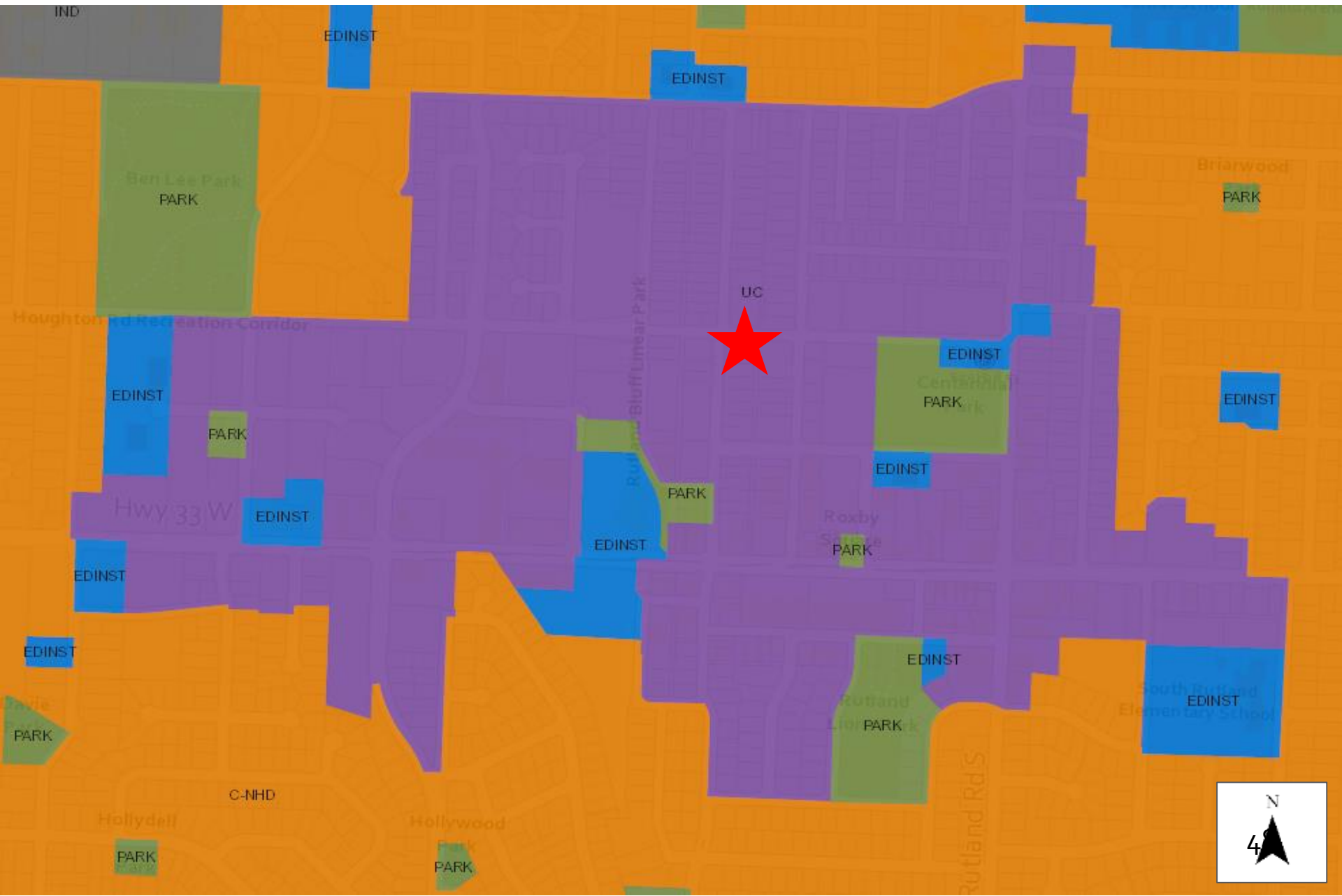
# Development Process



# Context Map



# OCP Future Land Use / Zoning





# Subject Property Map

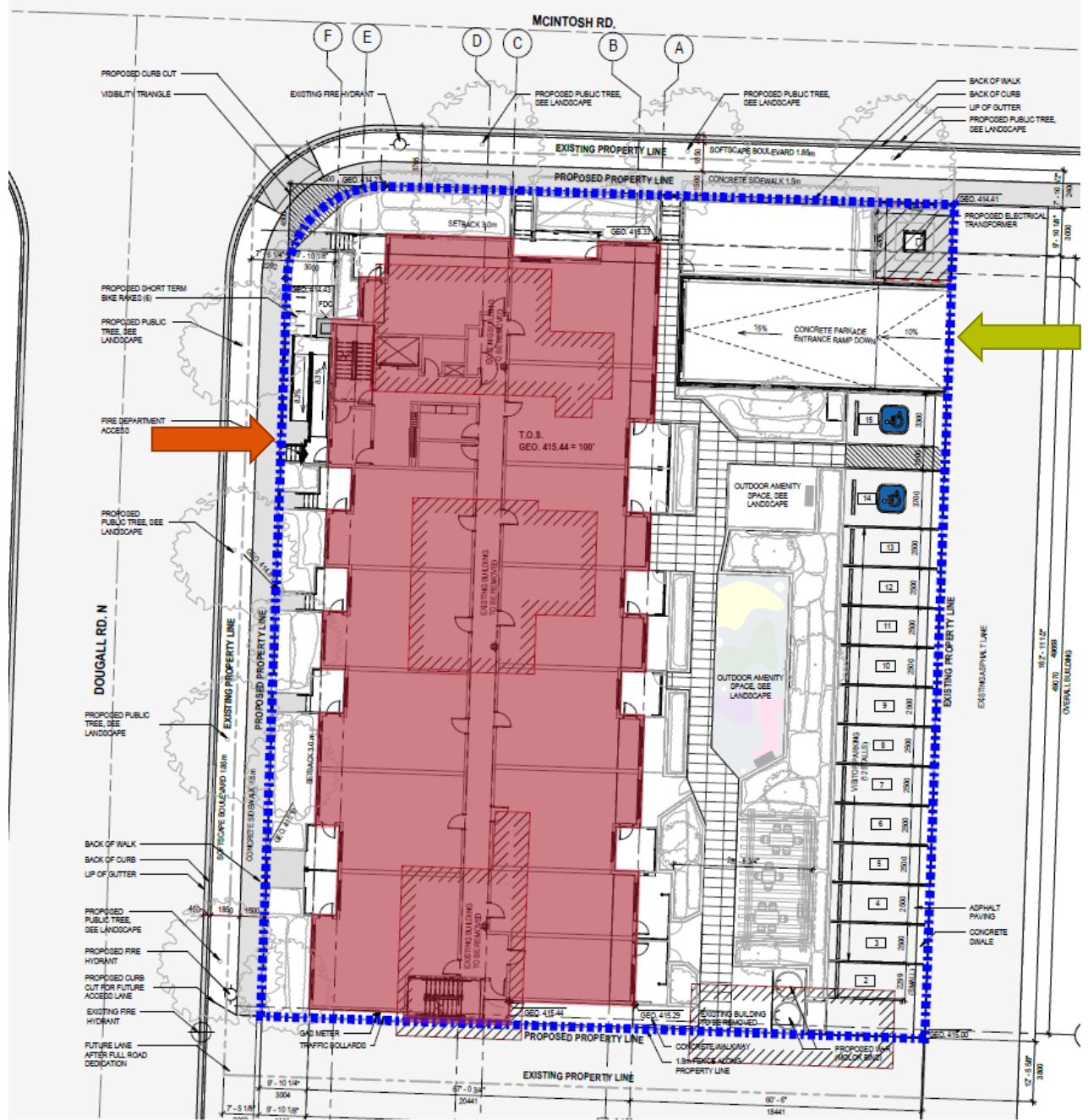


# Project Details

- ▶ Apartment housing
  - ▶ Rental only
  - ▶ 6 storeys
  - ▶ Approx. 83 units
  
- ▶ Access provided from rear laneway
  - ▶ New laneway dedicated along south property line



# Site Plan



# OCP Policies & Objectives

- ▶ Policy 4.1.6 High Density Residential Development
  - ▶ Direct medium and high density development to Urban Centres
  
- ▶ Policy 4.12.3 Diverse Housing Tenures
  - ▶ Encourage a range of rental and ownership tenures



# Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning:
  - ▶ Future Land Use Designation: Urban Centre
  - ▶ OCP Policies
    - ▶ Policy 4.1.6 High Density Residential Development
    - ▶ Policy 4.12.3 Diverse Housing Tenures

# REPORT TO COUNCIL



**Date:** January 9, 2023

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z22-0062

**Owner:** Yong Zhang

**Address:** 4371 Lakeshore Rd

**Applicant:** Urban Options Planning Corp. –  
Jack Pawsey

**Subject:** Rezoning Application

**Existing OCP Designation:** S-RES – Suburban Residential

**Existing Zone:** RU1 – Large Lot Housing

**Proposed Zone:** RU4 – Duplex Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z22-0062 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 4 District Lot 358 ODYD Plan 9564, located at 4371 Lakeshore Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment “A” attached to the Report from the Development Planning Department dated January 9, 2023;

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.

## 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone to facilitate a 2-lot subdivision and the development of two dwellings in a semi-detached form on each resulting lot.

**3.0 Development Planning**

Staff support the proposal to rezone the subject property from the RU<sub>1</sub> – Large Lot Housing zone to the RU<sub>4</sub> – Duplex Housing zone. The subject property has a Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary (PGB). As such, the proposed zone is consistent with the 2040 Official Community Plan’s (OCP) objectives.

**4.0 Proposal**

**4.1 Project Description**

The proposed rezoning to the RU<sub>4</sub> – Duplex Housing would be to facilitate a 2-lot subdivision and the development of two dwellings in a semi-detached form on each resulting lot for a total of four units. An access easement is proposed adjacent to the east property line to allow for shared driveway access off Greene Road. The total lot area is 1241.0 m<sup>2</sup> and upon subdivision would result in two lots with areas of 601.0 m<sup>2</sup> and 640.0 m<sup>2</sup>. This exceeds the Zoning Bylaw minimum lot area requirements of 540.0 m<sup>2</sup> for the RU<sub>4</sub> – Duplex Housing zone.

**4.2 Site Context**

The subject property is located at the corner of Lakeshore Road and Greene Road. The surrounding areas are zoned RU<sub>1</sub> – Large Lot Housing, MF<sub>2</sub> – Townhouse Housing and RU<sub>4</sub> – Duplex Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU <sub>1</sub> – Large Lot Housing	Single Family Dwelling
East	RU <sub>1</sub> – Large Lot Housing	Single Family Dwelling
South	RU <sub>4</sub> – Duplex Housing	Duplex Housing
West	MF <sub>2</sub> – Townhouse Housing	Townhouses

**Subject Property Map: 4371 Lakeshore Rd**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

<b>Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable</b>	
Policy 7.2.1 Ground-Oriented Housing	Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities.  <i>The proposed rezoning and 2-lot subdivision will provide ground-oriented dwellings to increase housing availability in this suburban neighbourhood.</i>
<b>Objective 7.6 Support a variety of low-density housing</b>	
Policy 7.6.1 Family-Friendly Multi-Unit Housing	Encourage multi-unit developments near schools to include a variety of unit sizes, including three or more bedrooms.  <i>The property is in close proximity to Dorothea Walker Elementary School and Anne McClymont Elementary School.</i>

**6.0 Technical Comments**

**6.1 Development Engineering Department**

6.1.1 Refer to Attachment "A" dated October 26, 2022

**7.0 Application Chronology**

Date of Application Accepted: September 21, 2022

Date Public Consultation Completed: October 13, 2022

**Report prepared by:** Breanna Sartori, 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: Development Engineering Memo

Attachment B: Proposed Subdivision Plan

Attachment C: Applicant's Rationale Letter

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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** October 26, 2022  
**File No.:** Z22-0062  
**To:** Community Planning & Development Manager (DS)  
**From:** Development Engineering Manager (NC)  
**Subject:** 4371 Lakeshore Road

<b>ATTACHMENT</b> _____ <b>A</b>	
This forms part of application # Z22-0062	
Planner Initials	<b>BS</b>
 City of <b>Kelowna</b> DEVELOPMENT PLANNING	

Rezoning RU1 to RU4

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The Development Engineering Branch has the following comments for this rezoning application for the 4371 Lakeshore Road project. The Development Engineering Technician for this project is Chris Pedersen (cpedersen@kelowna.ca). The following Works and Services will be a requirement of this development.

**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. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.
- c. The following requirements assume that this rezoning application will proceed concurrently with Subdivision application S22-0062. If the rezoning proceeds independently of subdivision, servicing requirements will need to be reassessed.
- d. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- e. All City Trees must be protected as per Bylaw 8042 Schedule C – Tree Barrier and Installation Policy requirements. Removal of City Trees will require approval by the City’s Urban Forestry Supervisor. Trees will require replacement, at a minimum two for one ratio, or payment of the City of Kelowna Equitable Compensation as defined in Section 8.2 of Bylaw 8042.

**2. DOMESTIC WATER AND FIRE PROTECTION**

- a. The subject lot is located within the City of Kelowna water supply area.
- b. Our records indicate that this property is currently serviced with a 19-mm diameter water service off Lakeshore Rd. Only one service will be permitted per legal lot and each lot must be serviced prior to Subdivision.

- c. The Applicant, at their cost, can choose to either engage an engineer and a contractor to design and construct the water services or can choose to have the services installed by City forces at the Applicant's expense. If the Applicant chooses to have the services installed by City forces, they will be required to sign a Third-Party Work Order and pre-pay for the cost of the water services. For estimate inquiries please contact the Development Engineering Technician assigned to the file.
- d. The Applicant's Consulting Mechanical Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for two dwelling residential is 60 L/s. If it is determined that upgrades to any other existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.

### 3. SANITARY SEWER SYSTEM

- a. The subject property is located within the City of Kelowna sewer service area.
- b. Our records indicate that this property is currently serviced with a 100-mm diameter sanitary sewer service off Greene Rd. Only one service will be permitted for each legal lot and each lot must be serviced prior to Subdivision.
- c. Service connections are to be completed with an inspection chamber (c/w Brooks Box) as per SS-S7 and may not be extended at an angle that exceeds 45° from perpendicular to the main. Connection from mains within rear yard right-of-ways will not be permitted.
- d. The Applicant, at their cost, can choose to either engage an engineer and a contractor to design and construct the sanitary services or can choose to have the services installed by City forces at the Applicant's expense. If the Applicant chooses to have the services installed by City forces, they will be required to sign a Third-Party Work Order and pre-pay for the cost of the sanitary services.

### 4. STORM DRAINAGE

- a. The subject property is located within the City of Kelowna drainage service area. The City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b. Provide the following drawings:
  - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill), grading directly to a natural drainage path must include adequate erosion control and water quality improvement measures;
  - ii. A detailed Stormwater Management Plan for this subdivision; and,
  - iii. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- c. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.10.6 *Detention Storage*.
- d. As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.



- e. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- f. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.
- g. Identify clearly on a contour map, or lot grading plan, all steep areas (>30 %). Provide cross sections for all steep areas at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.
- h. If individual lot connections are required, ensure that payment of connection fees has been completed (please provide receipt).
- i. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

**5. ROAD IMPROVEMENTS**

- a. Lakeshore Road must be upgraded to an urban standard along the full frontage of the subject property. Required upgrades must include curb and gutter, storm drainage system, LED street lighting, landscaped and irrigated boulevard, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- b. Greene Road must be upgraded to an urban standard along the full frontage of the subject property. Required upgrades must include curb and gutter, sidewalk, storm drainage system, LED street lighting, landscaped and irrigated boulevard, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- c. A one-time cash payment in lieu of construction of the Lakeshore Road and Greene Road upgrades must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$109,795.71** (being \$54,567.83 for Lakeshore Road and \$55,227.88 for Greene Road), not including utility servicing cost.

**6. POWER AND TELECOMMUNICATION SERVICES**

- a. All proposed distribution and service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost. The utility companies are required to obtain the City's approval before commencing construction.
- b. Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges.

**7. GEOTECHNICAL STUDY**

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



- b. The Geotechnical reports must be submitted to the Development Services Department (Subdivision Approving officer) for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
  - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
  - ii. Site suitability for development.
  - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
  - iv. Any special requirements for construction of roads, utilities and building structures.
  - v. Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
  - vi. Identify slopes greater than 30%.
  - vii. Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
  - viii. Recommendations for items that should be included in a Restrictive Covenant.
  - ix. Any special requirements that the proposed development should undertake so that it will not impact the banks(s). The report must consider erosion and structural requirements.
  - x. Recommendations for erosion and sedimentation controls for water and wind.
  - xi. Any items required in other sections of this document.
  - xii. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.

**8. ROAD DEDICATION/SUBDIVISION REQUIREMENTS**

- a. Approximately 3.0m dedication along the entire frontage of Lakeshore Road is required to achieve a ROW width of 26.0m.
- b. Approximately 1.5m dedication along the entire frontage of Greene Road is required to achieve a ROW width of 18.0m.
- c. Provide a 6m radius road dedication at the corner of Lakeshore Road and Greene Road.

**9. DEVELOPMENT PERMIT AND SITE-RELATED ISSUES**

- a. Only one driveway from Greene Road shared by both lots with an access easement will be permitted with a maximum driveway width of 6.0m.

**10. OTHER ENGINEERING COMMENTS**

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City lands.
- b. If any road dedication affects lands encumbered by a Utility right-of-way, please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

**11. DESIGN AND CONSTRUCTION**

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

**12. SERVICING AGREEMENTS FOR WORKS AND SERVICES**

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

**13. CHARGES, FEES, AND SECURITIES**

- a. Development Cost Charges (DCC's) are payable.
- b. Fees per the "Development Application Fees Bylaw" include:
  - i. Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
  - ii. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
  - iii. Fire Hydrant Levy: \$250.00 per newly created lot (GST exempt).
  - iv. Engineering and Inspection Fee: 3.5% of construction value (plus GST), being \$3535.42 for this development (\$1757.08 for Lakeshore Road and \$1778.34 for Greene Road). Additional fees will apply if the applicant chooses to use their own engineer and contractor to install the utility servicing.


  
Nelson Chapman, P.Eng.  
Development Engineering Manager

CP

# PLAN OF PROPOSED SUBDIVISION OF LOT 4, DISTRICT LOT 358, ODYD, PLAN 9564.

PID: 008-587-531  
CIVIC ADDRESS: 4371 LAKESHORE ROAD  
BCGS 82E.083

**ATTACHMENT B**

This forms part of application  
# Z22-0062

Planner Initials **BS**



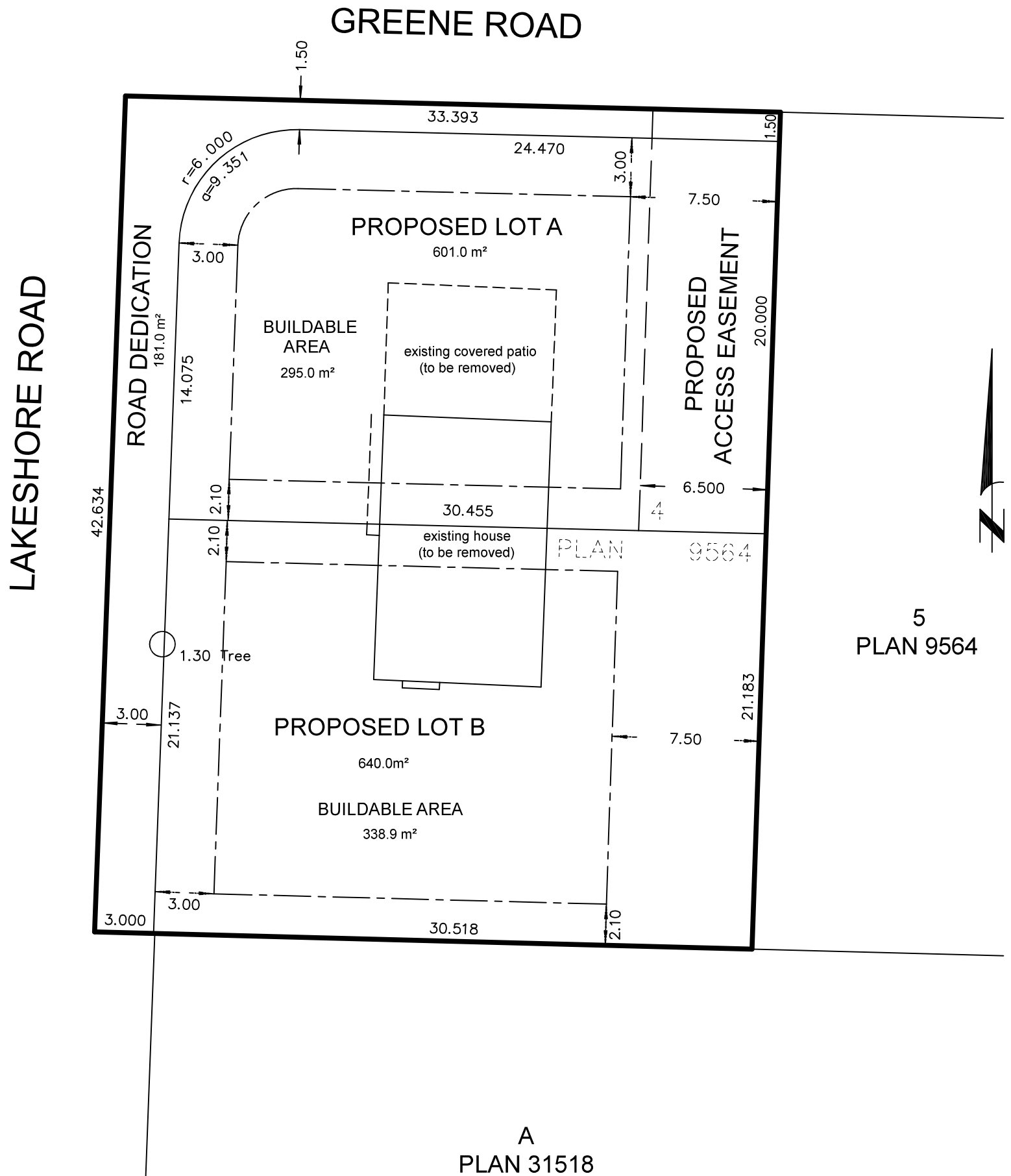
City of **Kelowna**  
DEVELOPMENT PLANNING



The intended plot size of this plan is 280mm in width by 432mm in height (B-size) when plotted at a scale of 1:250 METRIC.

**NOTES:**

- Lot dimensions shown are based upon field survey measurements and may vary from Land Title Office records.
- Unregistered interests have not been included or considered.



**AllTerra**  
Land Surveying Ltd.

www.AllTerraSurvey.ca  
Ph: 250.762.0122 File: 322082-TO November 16, 2022



**ATTACHMENT** C

This forms part of application  
# Z22-0062

Planner Initials BS

City of Kelowna  
DEVELOPMENT PLANNING

September 16, 2022

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

Rezoning Application from RU1 – Large Lot Housing to RU4 – Duplex Housing in Conjunction with a 2-Lot Subdivision at 4371 Lakeshore Rd.

## Introduction

Dear Planning Staff,

The purpose of this application is to rezone the subject property from RU1 – Large Lot Housing to RU4 – Duplex Housing. Application for a 2-Lot Subdivision has been submitted concurrently. The intent of the project is to construct 2 dwellings in a semi-detached form on each resulting property. The existing dwelling will be removed. Context photos are provided to show the current configuration of the neighbourhood.

## Proposed Site Layout

The lot area of each resulting property meets the requirement of the RU4 zone (including road dedication) at 601.0m<sup>2</sup> (Proposed Lot A) and 640.0m<sup>2</sup> (Proposed Lot B) and can easily support two-dwelling housing. The lot width also meets minimum requirements. The site plan has been strategically designed with a reciprocal access easement on the east side of the property, which provides access to Proposed Lots A & B. The easement is 6.5m wide to allow for 2-way access and 90-degree parking into a garage. The benefit to the access easement is to promote safety by allowing a single access to the site from Greene Road, which is classified as a “local” road. This will avoid the property being accessed from Lakeshore Road, which is classified as a “minor arterial.”

## Infrastructure and Neighbourhood

The curb, sidewalk, and gutter are undeveloped on both road frontages. Sanitary sewer is connected to the property on Greene Road and stormwater pipes are located below Lakeshore Road. The entire property is flat with no elevation changes. The neighbouring properties on the north and east sides are each zoned RU1 – Large Lot Housing. 609 Greene is in the process of being subdivided. The property to the south is zoned RU4 – Duplex Housing and the property to the east is zoned MF2 – Townhouse Housing.

## Official Community Plan Conformance

This proposal conforms to the 2040 OCP – Future Land Use direction of *Suburban Residential*, as two-dwelling residential is a supported use. In addition, the following pillars are met:

1. Stop planning new suburban neighbourhoods.

Creating sensitive infill within existing neighbourhoods reduces the desire for new suburban neighbourhoods to be planned. In turn, those who wish to rent or purchase a new dwelling can do so without constructing a new single-family home in a new neighbourhood. In addition, new construction within existing neighbourhoods eliminates the need to create new service lines which are expensive to build and maintain.

2. Promote more housing diversity.

The *Suburban Residential* Future Land Use designation allows for a range of housing forms within existing suburban neighbourhoods. Two-dwelling housing is a great way to utilize the existing property and services to create a diverse housing option in a neighbourhood which is located nearby amenities such as schools and parks.

3. Protect our environment.

Constructing two-dwelling housing an existing building envelope reduces the need for environmental impacts such as blasting, site grading, and tree removal on undeveloped lots.

### Project Benefits

In the immediate neighbourhood within a 200m radius, there are 4 properties which are zoned RU4, and 1 property which is zoned MF2 and contains multiple units. In addition, there are 3 properties which have been rezoned to RU1c to increase the density of the neighbourhood. We believe the application is beneficial to the community for multiple reasons.

Firstly, the application will allow for upgrades in a neighbourhood which is experiencing sensitive redevelopment with the adoption of the 2040 OCP. The landowner is constructing the dwellings to increase the housing stock in a desirable area of Kelowna with large lots. Secondly, the property is situated near amenities such as Sarsons Beach Park, H2O Fitness Centre, and the Capital News Centre. Lakeshore Road and Lakeshore Road Recreation Corridor, located adjacent to the subject property, provides an opportunity for cycling and public transit. Lastly, the subject property is located nearby multiple elementary and secondary schools, making the subject property an excellent location for growing families.

We believe this project creates sensitive infill in an area of Kelowna with great potential. For any questions regarding the application, please contact Urban Options Planning Corp. at the undersigned.

Regards,

Urban Options Planning Corp.  
By its authorized signatory, Birte Decloux, RPP MCIP



**CITY OF KELOWNA**  
**BYLAW NO. 12469**  
**Z22-0062**  
**4371 Lakeshore Road**

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 4 District Lot 358 ODYD Plan 9564 located on Lakeshore Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex 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, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk





City of  
**Kelowna**

Z22-0062  
4371 Lakeshore Road  
Rezoning Application

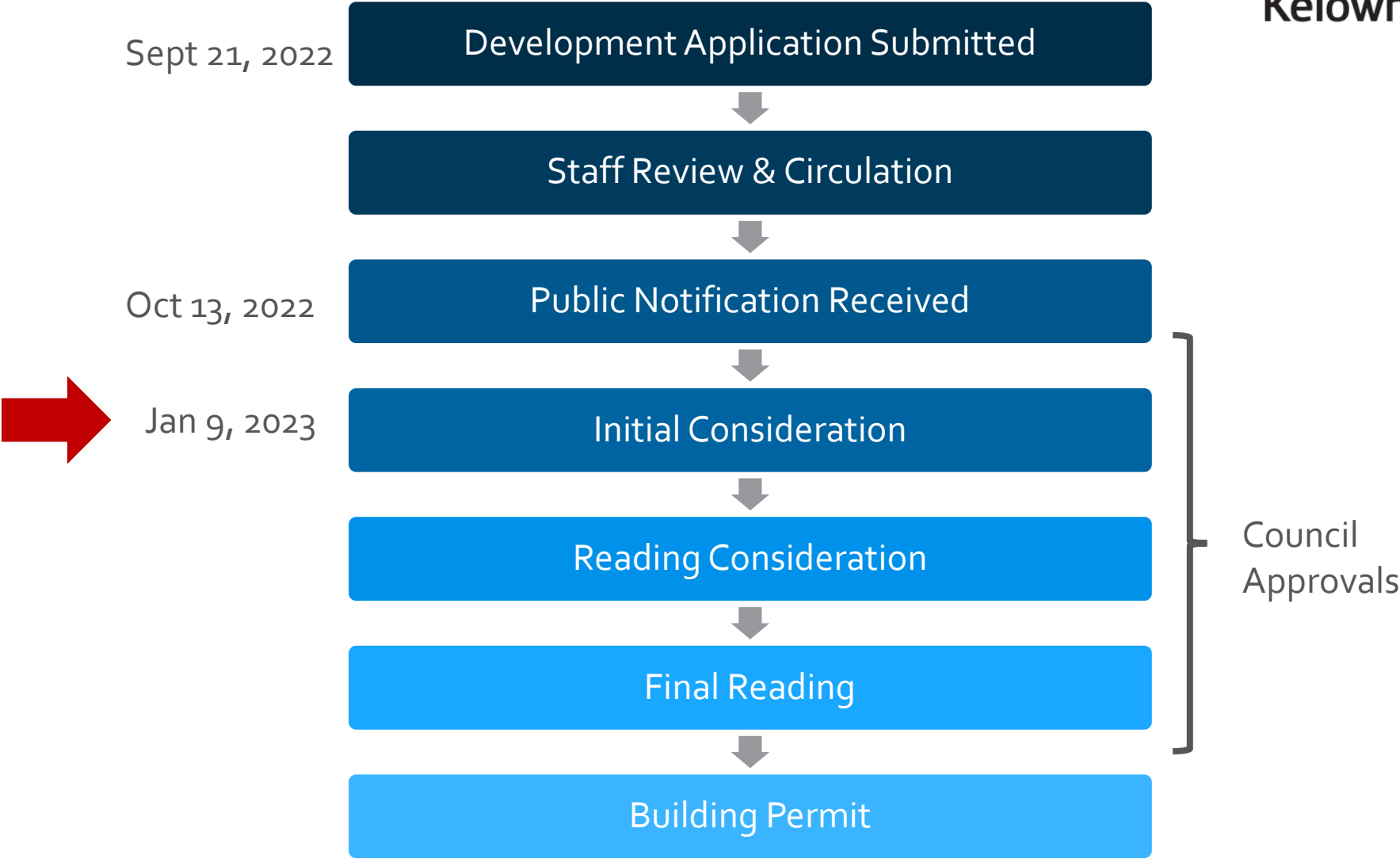
# Proposal

- ▶ To rezone the subject property from the RU<sub>1</sub> – Large Lot Housing zone to the RU<sub>4</sub> – Duplex Housing zone to facilitate a 2-lot subdivision and the development of two dwellings in a semi-detached form on each resulting lot.

# Rezoning

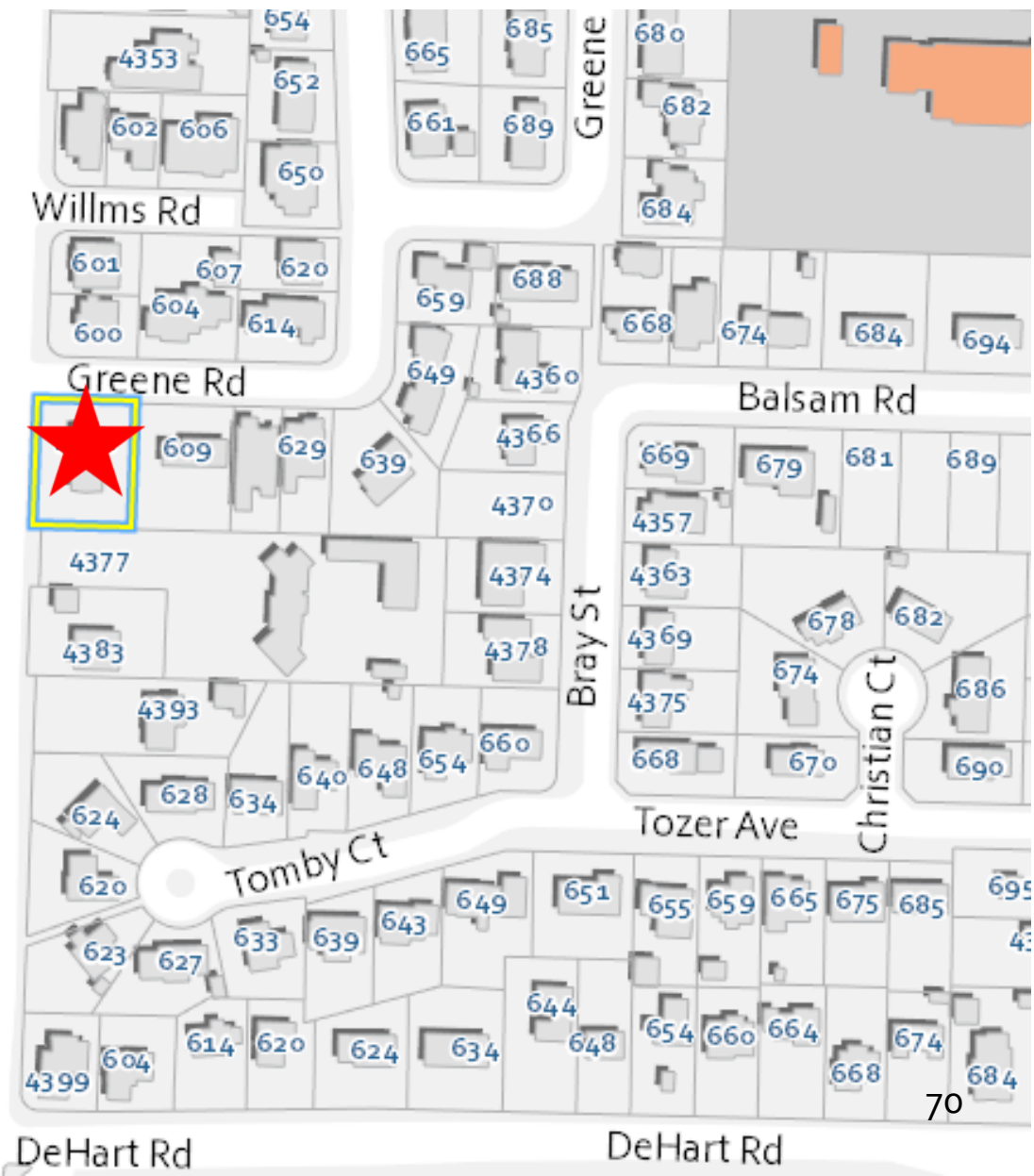
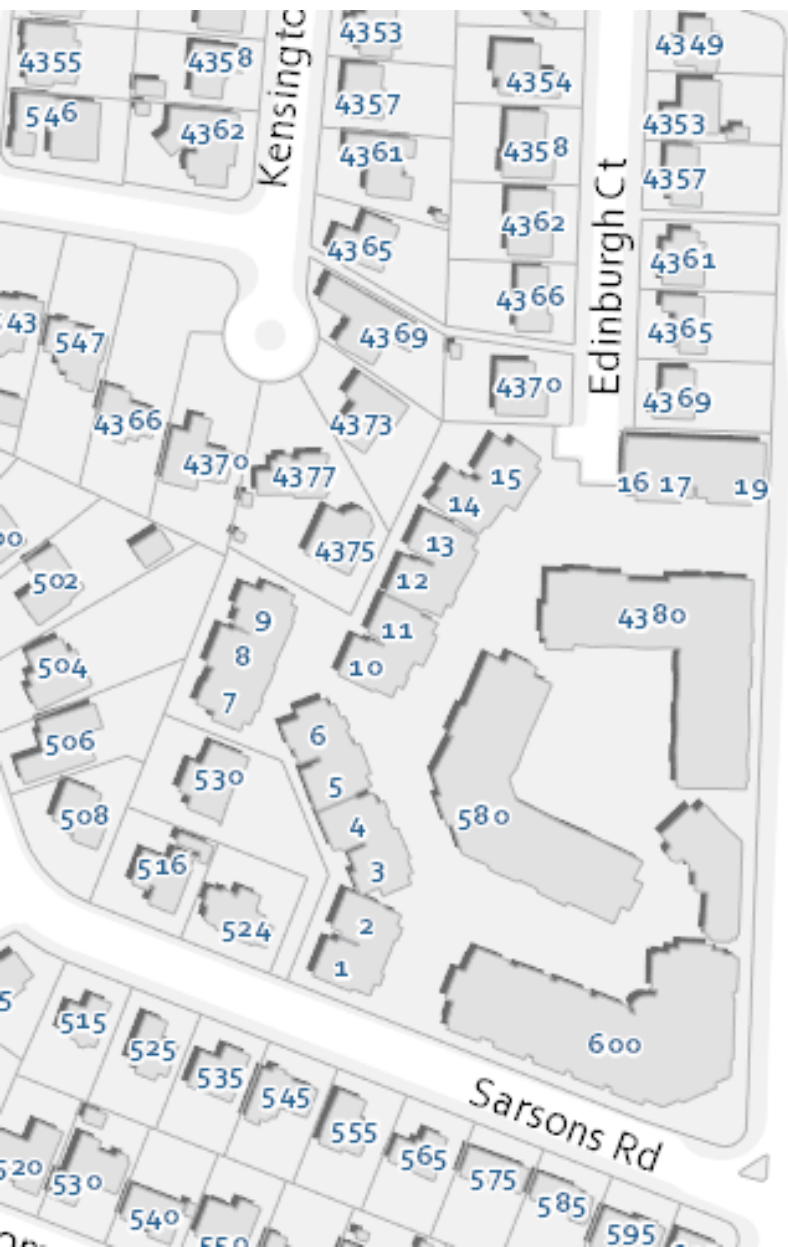
- ▶ “Is this proposed land use and density appropriate for this property?”
  
- ▶ Considerations & Regulations:
  - ▶ Uses of land, building, & structures
  - ▶ Density of use of land (FAR)
  - ▶ Site access
  - ▶ Based on OCP Policies including Future Land Use

# Development Process

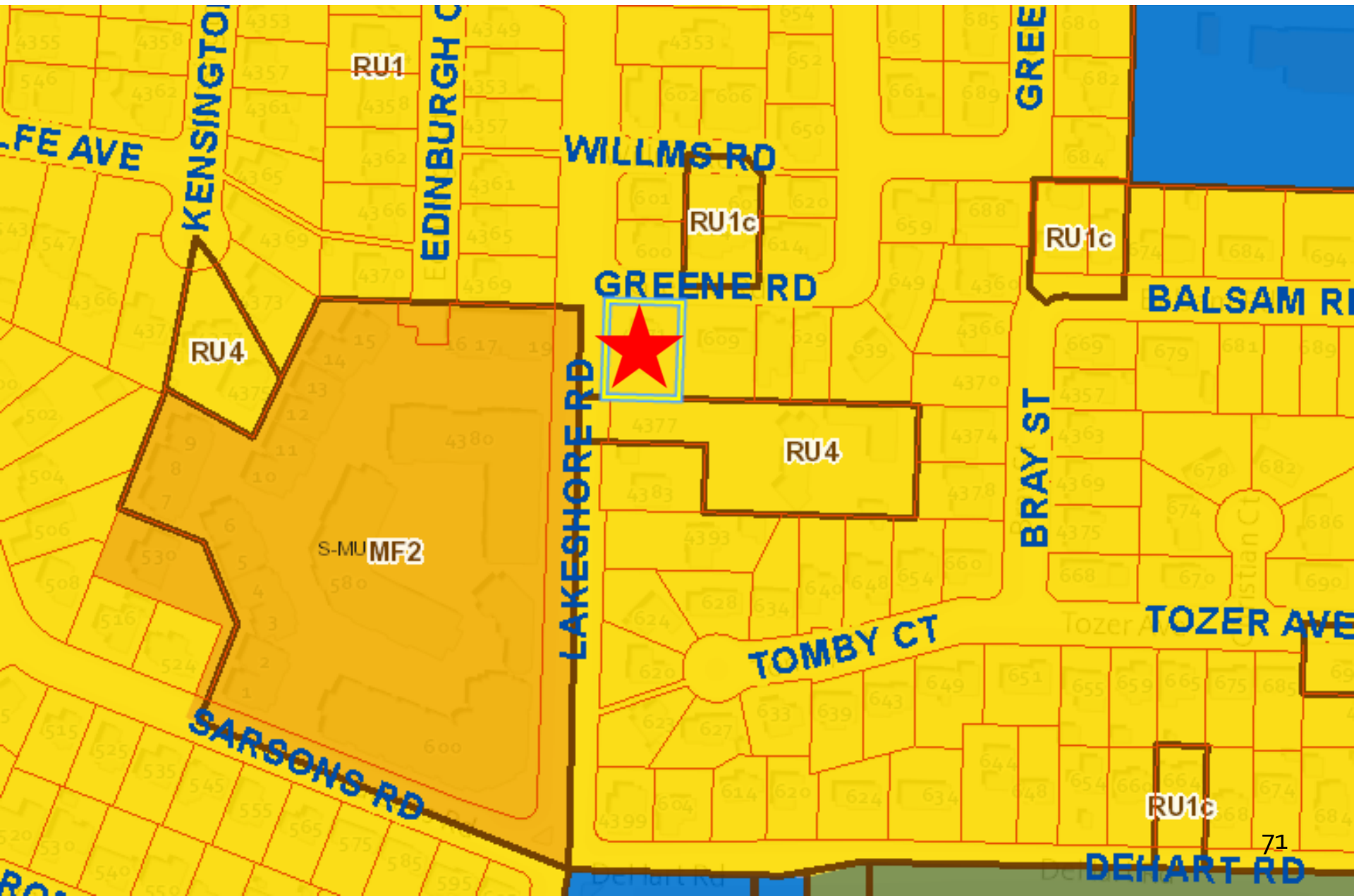




# Context Map



# OCP Future Land Use / Zoning





# Subject Property Map



# Project/technical details

- ▶ This would facilitate a 2-lot subdivision and the construction of two semi-detached dwellings on each resulting lot.
- ▶ The proposed lots meet the minimum lot size, width and depth of the RU<sub>4</sub> zone.

# Site Plan



# OCP Objectives & Policies

- ▶ S-RES – Suburban Residential
  - ▶ Policy 7.2.1 Ground-Oriented Housing

# Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to the RU<sub>4</sub> – Duplex Housing:
  - ▶ Provides sensitive infill housing
  - ▶ Meets the Future Land Use designation of S-RES

# REPORT TO COUNCIL



**Date:** January 9, 2023

**To:** Council

**From:** City Manager

**Department:** Development Planning Department

**Application:** Z22-0065      **Owner:** Paul Barton Williams & Leah Andrea Williams

**Address:** 4346 Turner Rd      **Applicant:** Urban Options Planning Corp.

**Subject:** Rezoning Application

**Existing OCP Designation:** S-RES – Suburban Residential

**Existing Zone:** RU<sub>1</sub> – Large Lot Housing

**Proposed Zone:** RU<sub>2c</sub> – Medium Lot Housing with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z22-0065 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot D District Lot 358 ODYD PLAN 18499, located at 4346 Turner Road, Kelowna, BC from the RU<sub>1</sub> – Large Lot Housing zone to the RU<sub>2c</sub> – Medium Lot Housing with Carriage House zone, be considered by Council.

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated January 9, 2023.

## 2.0 Purpose

To rezone the subject property from the RU<sub>1</sub> – Large Lot Housing zone to the RU<sub>2c</sub> – Medium Lot Housing with Carriage House zone to facilitate the construction of a carriage house and allow for future subdivision of the lot.

## 3.0 Development Planning

Development Planning Staff support the proposed rezoning application to RU<sub>2c</sub> – Medium Lot Housing with Carriage House to facilitate the construction of a carriage house on the property. The RU<sub>2</sub> zone would allow for future subdivision of the lot to create two separate parcels. At this time, the proposal does not seek



subdivision of the lot and intends to only construct the carriage house. The proposal meets the intent of the Official Community Plan (OCP) and the Future Land Use Designation of S-RES – Suburban Residential, which speaks to the accommodation of single and two dwelling housing with opportunities for carriage houses. Staff does not anticipate any significant negative impacts to the neighbouring properties.

**4.0 Proposal**

**4.1 Project Description**

The proposed rezoning from Ru1 to the RU2c sub-zone is to facilitate the construction of a carriage house on the subject lot. The property is currently developed with a single detached dwelling and a workshop at the rear. The carriage house will be located at the northwest corner of the property, meeting all setback requirements for the zone and future subdivision of the lot. Future subdivision of the property would create two separate parcels and would trigger demolition of the existing single detached dwelling. All zoning and subdivision regulations have been met; the proposed carriage house can be constructed without the need for any variances.

**4.2 Site Context**

The subject property is located on Turner Rd, within the North Mission – Crawford neighbourhood. The surrounding area is largely comprised of parcels zoned Ru1 – Large Lot Housing with some MF1 – Infill Housing and RU4 – Duplex Housing nearby. The property is in close proximity to Dorothea Walker Elementary School.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Detached Dwelling
East	RU1 – Large Lot Housing	Vacant
South	RU1 – Large Lot Housing	Single Detached Dwelling
West	RU1 – Large Lot Housing	Single Detached Dwelling

Subject Property Map: 4346 Turner Rd



**5.0 Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

<b>Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable (Chapter 7: Suburban Neighbourhood)</b>	
Policy 7.2.1 Ground Oriented Housing	Consider a range of low-density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities.
	<i>The S-RES future land use designation supports single and two dwelling growth with opportunities for carriage houses. The proposal is considered sensitive infill to the neighbourhood. The property is in close proximity to Dorothea Walker Elementary School.</i>

**6.0 Application Chronology**

Date of Application Accepted: October 4, 2022  
 Date Public Consultation Completed: October 17, 2022

**Report prepared by:** Sara Skabowski, 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: Development Engineering Memo  
 Attachment B: Site Plan

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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** November 3, 2022  
**File No.:** Z22-0065  
**To:** Community Planning & Development Manager (DS)  
**From:** Development Engineering Manager (NC)  
**Subject:** 4346 Turner Rd



Rezoning RU1 to RU2c

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The Development Engineering Branch has the following comments for this rezoning application for the 4346 Turner Road rezoning RU1 to RU2c project. This purpose of the rezoning application is for a carriage house initially, with a future subdivision anticipated afterwards. The Development Engineering Technician for this project is Chris Pedersen ([cpedersen@kelowna.ca](mailto:cpedersen@kelowna.ca)).

This memo has been written to identify requirements both for the initial zoning and carriage house, as well as the future subdivision. Items prepended with “*At future subdivision.*” are for future subdivision and are subject to change at time of future subdivision application, while all other items are for both the initial zoning and carriage house and the future subdivision.

### 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. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, [arif.bhatia@canadapost.ca](mailto:arif.bhatia@canadapost.ca) to obtain further information and to determine suitable location(s) within the development.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- d. All City Trees must be protected as per Bylaw 8042 Schedule C – Tree Barrier and Installation Policy requirements. Removal of City Trees will require approval by the City’s Urban Forestry Supervisor. Trees will require replacement, at a minimum two for one ratio, or payment of the City of Kelowna Equitable Compensation as defined in Section 8.2 of Bylaw 8042.

## 2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject lot is located within the City of Kelowna water supply area.
- b. *At future subdivision:* Our records indicate that this property is currently serviced with a 19-mm diameter water service off Turner Rd. Only one service will be permitted per legal lot and each lot must be serviced prior to Subdivision.
- c. The City of Kelowna has planned a watermain upgrade project on Hazell Road that will provide a fire hydrant at the intersection of Turner Road and Hazell Road. If this project is not completed prior to adoption of this rezoning application, the Applicant's Consulting Mechanical Engineer must determine the domestic water and fire protection requirements of this proposed development as outlined in Section 2.d and any required upgrades must be completed prior to adoption of this rezoning application.
- d. *At future subdivision:* The Applicant's Consulting Mechanical Engineer will determine the domestic water and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for single family residential is 60 L/s. If it is determined that upgrades to any other existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- e. The Applicant's Licensed Residential Builder or Consulting Civil Engineer will determine the domestic water requirements of this development. If the existing service is determined to be too small and needs to be replaced, the Applicant, at their cost, will arrange for the removal of the existing service and the installation of one new larger metered water service.
- f. The Applicant, at their cost, can choose to either engage an engineer and a contractor to design and construct the water services or can choose to have the services installed by City forces at the Applicant's expense. If the Applicant chooses to have the services installed by City forces, they will be required to sign a Third-Party Work Order and pre-pay for the cost of the water services. For estimate inquiries please contact the Development Engineering Technician assigned to the file.

## 3. SANITARY SEWER SYSTEM

- a. The subject property is located within the City of Kelowna sewer service area.
- b. *At future subdivision:* Our records indicate that this property is currently serviced with a 100-mm diameter sanitary sewer service off Turner Rd. Only one service will be permitted for each legal lot and each lot must be serviced prior to Subdivision.
- c. Service connections are to be completed with an inspection chamber (c/w Brooks Box) as per SS-S7 and may not be extended at an angle that exceeds 45° from perpendicular to the main. Connection from mains within rear yard right-of-ways will not be permitted. Existing sanitary services are to have inspection chambers added if they do not already exist.
- d. The Applicant, at their cost, can choose to either engage an engineer and a contractor to design and construct the sanitary services or can choose to have the services installed by City forces at the Applicant's expense. If the Applicant chooses to have the services installed by City forces, they will be required to sign a Third-Party Work Order and pre-pay for the cost of the sanitary services.

#### 4. **STORM DRAINAGE**

- a. The subject property is located within the City of Kelowna drainage service area. The City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b. *At future subdivision:* Provide the following drawings:
  - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill), grading directly to a natural drainage path must include adequate erosion control and water quality improvement measures;
  - ii. A detailed Stormwater Management Plan for this subdivision; and,
  - iii. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- c. *At future subdivision:* On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.10.6 *Detention Storage*.
- d. *At future subdivision:* As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- e. *At future subdivision:* Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- f. *At future subdivision:* Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.
- g. *At future subdivision:* Identify clearly on a contour map, or lot grading plan, all steep areas (>30 %). Provide cross sections for all steep areas at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.
- h. *At future subdivision:* If individual lot connections are required, ensure that payment of connection fees has been completed (please provide receipt).
- i. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.



## 5. ROAD IMPROVEMENTS

- a. *At future subdivision:* Turner Rd must be upgraded to an urban standard along the full frontage of the subject property. Required upgrades must include curb and gutter, storm drainage system, LED street lighting, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$42,462.69**, not including utility servicing cost.

## 6. POWER AND TELECOMMUNICATION SERVICES

- a. All proposed distribution and service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost. The utility companies are required to obtain the City's approval before commencing construction.
- b. *At future subdivision:* Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges.

## 7. GEOTECHNICAL STUDY

- a. *At future subdivision:* Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**
- b. *At future subdivision:* The Geotechnical reports must be submitted to the Development Services Department (Subdivision Approving officer) for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
  - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
  - ii. Site suitability for development.
  - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
  - iv. Any special requirements for construction of roads, utilities and building structures.
  - v. Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
  - vi. Identify slopes greater than 30%.
  - vii. Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
  - viii. Recommendations for items that should be included in a Restrictive Covenant.
  - ix. Any special requirements that the proposed development should undertake so that it will not impact the banks(s). The report must consider erosion and structural requirements.
  - x. Recommendations for erosion and sedimentation controls for water and wind.
  - xi. Any items required in other sections of this document.



xii. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.

**8. DEVELOPMENT PERMIT AND SITE-RELATED ISSUES**

- a. The multiple existing driveways must be removed. Only one driveway is permitted per legal lot with a maximum width of 6.0m.

**9. OTHER ENGINEERING COMMENTS**

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

**10. DESIGN AND CONSTRUCTION**

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

**11. SERVICING AGREEMENTS FOR WORKS AND SERVICES**

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

**12. CHARGES, FEES, AND SECURITIES**

- a. Development Cost Charges (DCC's) are payable.
- b. Fees per the "Development Application Fees Bylaw" include:
  - i. Street/Traffic Sign Fees: at cost (to be determined after design).
  - ii. Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
  - iii. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
  - iv. Fire Hydrant Levy: \$250.00 per newly created lot (GST exempt).
  - v. Engineering and Inspection Fee: 3.5% of construction value (plus GST). *At future subdivision:* \$1435.66 total for this development for Turner Road improvements. Additional fees will apply if the applicant chooses to use their own engineer and contractor to install the utility servicing.



---

Nelson Chapman, P.Eng.  
Development Engineering Manager

CP



**ATTACHMENT B**

This forms part of application  
# Z22-0065



City of  
**Kelowna**  
COMMUNITY PLANNING

Planner  
Initials **SS**





**CITY OF KELOWNA**

**BYLAW NO. 12470**

**Z22-0065**

**4346 Turner Road**

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot D District Lot 358 ODYD PLAN 18499, located on Turner Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2c – Medium 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, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

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City Clerk



City of  
**Kelowna**

Z22-0065  
4346 Turner Rd  
Rezoning Application

# Proposal

- ▶ To rezone the subject property from the RU<sub>1</sub> – Large Lot Housing zone to the RU<sub>2c</sub> – Medium Lot Housing with Carriage House zone to facilitate the construction of a carriage house and allow for future subdivision of the lot.



# Rezoning

- ▶ “Is this proposed land use and density appropriate for this property?”
  
- ▶ Considerations & Regulations:
  - ▶ Uses of land, building, & structures
  - ▶ Density of use of land (FAR)
  - ▶ Site access
  - ▶ Based on OCP Policies including Future Land Use

# Development Process

October 4

Development Application Submitted



Staff Review & Circulation



October 24

Public Notification Received



January 9

Initial Consideration



First, Second & Third Readings



Final Reading

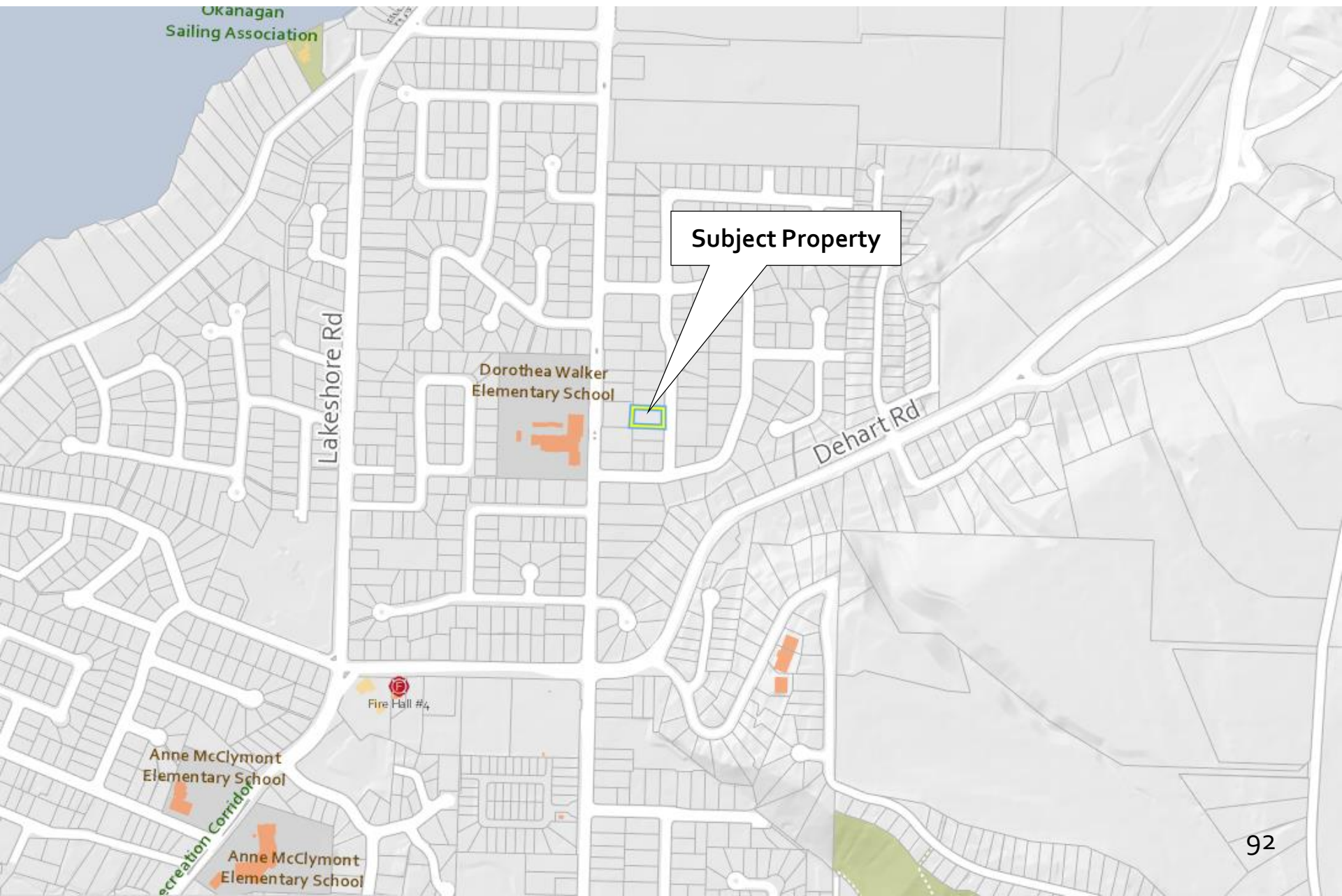


Building Permit

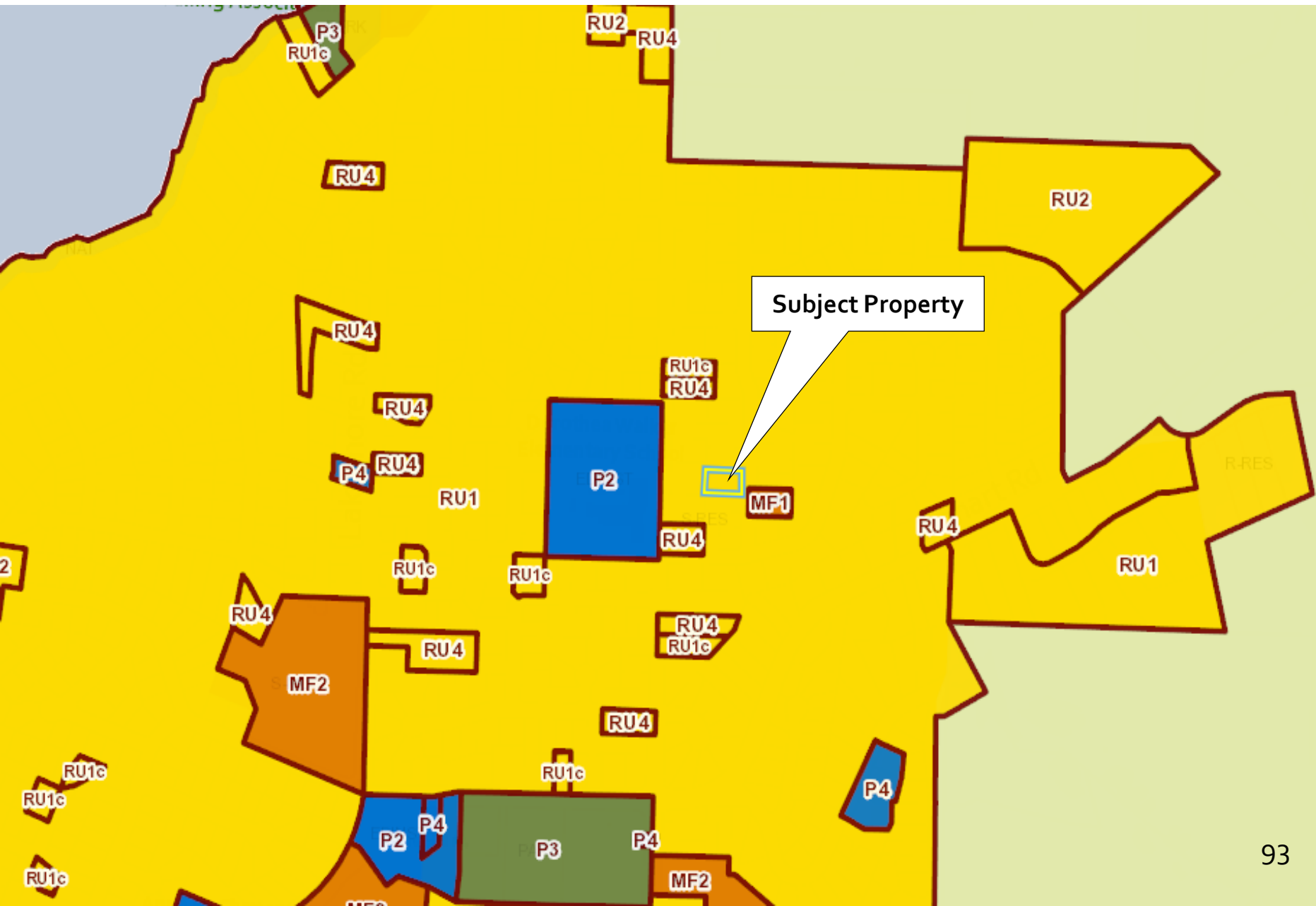
Council  
Approvals



# Context Map



# OCP Future Land Use/Zoning





# Subject Property Map



# Project details

- ▶ Carriage house building footprint of 100 sq.m.
- ▶ Future subdivision would create two (2), 15.24 m wide parcels.
- ▶ All Zoning Bylaw and subdivision regulations can be met without the need for any variances.



# Site Plan



# OCP Objectives & Policies

- ▶ Objective 7.1: Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable
  - ▶ Carriage House is a low-impact increase in density
- ▶ Policy 7.2.1: Ground Oriented Housing
  - ▶ Carriage House is ground oriented
  - ▶ Improves housing diversity
  - ▶ Close proximity to schools and parks

# Staff Recommendation

- ▶ Staff recommend **support** of the proposed Rezoning:
  - ▶ Within the Permanent Growth Boundary
  - ▶ Future Land Use Designation of S-RES
  - ▶ Meets OCP Objectives and Policies

# REPORT TO COUNCIL



**Date:** January 9<sup>th</sup>, 2023

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z22-0042      **Owner:** Upper Mission Development Inc., Inc.No. BC1224405

**Address:** 949 Hewetson Court      **Applicant:** GTA Architecture Ltd.

**Subject:** Rezoning Application

**Existing OCP Designation:** S-MU – Suburban Multiple Unit

**Existing Zone:** RU1 – Large Lot Housing

**Proposed Zone:** MF2 – Townhouse Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z22-0042 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 District Lot 579 SDYD Plan EPP77194, located at 949 Hewetson Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated January 9, 2023;

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with issuance of a Natural Environment and Hazardous Condition Development Permit(s);

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

## 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone to facilitate a multi-family development.

### 3.0 Development Planning

Staff support the proposed rezoning from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone to facilitate the construction of 31 new residential units. The subject property has the Future Land Use Designation of S-MU – Suburban Multiple Unit and is within the Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan (OCP) objectives. In addition, the proposed design meets the minimum setbacks, parking and other Development Regulations as outlined in the Zoning Bylaw.

Due to the regulatory complexity of developing land within environmentally sensitive and hillside areas, Staff are recommending final adoption be considered subsequent to the issuance of a Natural Environment and Hazardous Condition Development Permit.

### 4.0 Proposal

#### 4.1 Background

The Neighbourhood 3 Area Structure Plan (ASP) for “*The Ponds*” neighbourhood and related OCP amendments were adopted by Council on April 3, 2007. The Plan envisions a logical pattern of development for Neighbourhood 3 that would result in a high quality, attractive and complete community. The ASP notes that the development concept has been formulated to work harmoniously with the topography and to retain the integrity of water features and their surroundings. The subject property was specifically identified as being suitable for cluster housing. The ASP anticipated that the maximum achievable density for cluster residential development in Neighbourhood 3 would be within the range of 15 to 20 dwelling units per hectare, but up to 30 could be possible. The applicant is proposing 16.9 units per hectare.

#### 4.2 Project Description

The proposed rezoning to MF2 – Townhouse Housing is to facilitate 31 units, which are a mix between single-detached housing and semi-detached housing. The subject property is currently vacant, and the development will be accessed by a new drive aisle accessed from Hewetson Court. The proposal will include two separate pedestrian accesses to Kuiper’s Peak Mountain Park, along with a Statutory-Right-Of-Way to allow public access through the site. The applicant’s site plan has indicated that all dwellings can be constructed without the need for any variances.

#### 4.3 Site Context

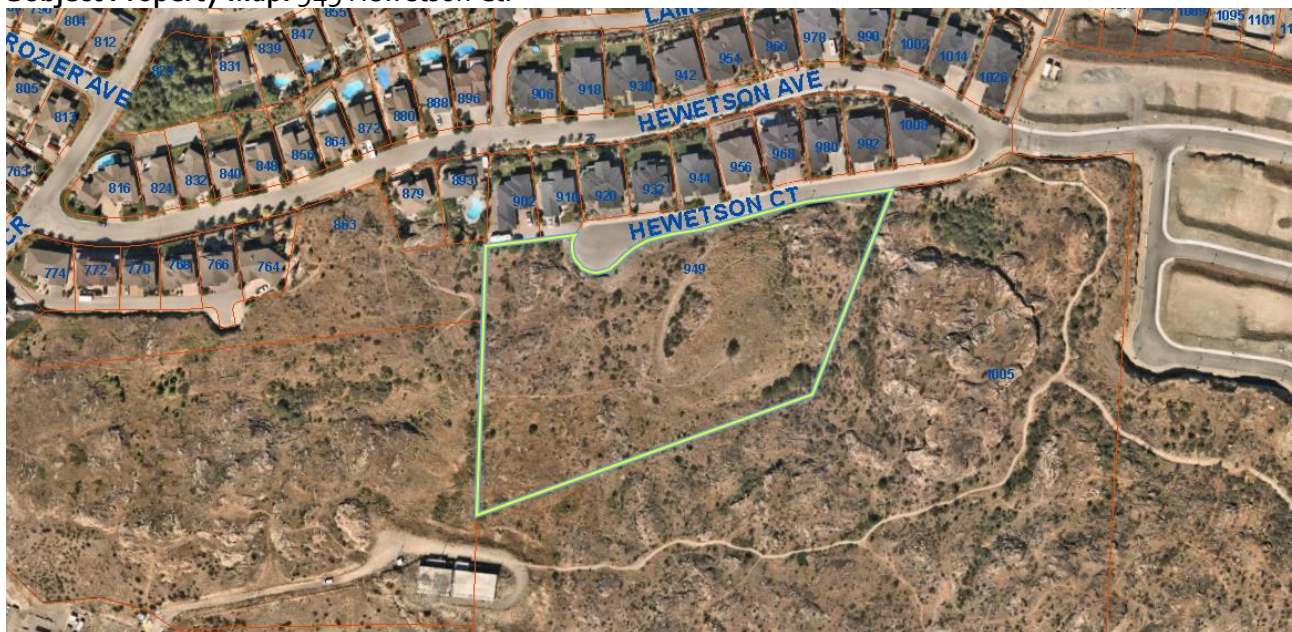
The subject property is in the Southwest Mission OCP Sector and is located on Hewetson Court. The subject property is currently vacant and is surrounded by Kuiper’s Peak Mountain Park to the South, East and West. The surrounding area is primarily zoned RU1 – Large Lot Housing and P3 – Parks and Open Space.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single-Detached Housing
East	P3 – Parks and Open Space	Kuipers’ Peak Mountain Park
South	P3 – Parks and Open Space	Kuipers’ Peak Mountain Park
West	P3 – Parks and Open Space	Kuipers’ Peak Mountain Park



**Subject Property Map: 949 Hewetson Ct.**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

<b>Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable</b>	
Policy 7.1.1. Area Structure Plan Consistency.	<p>Support development that is consistent with adopted Area Structure Plans (ASPs) in Suburban Neighbourhoods. Require amendments to ASPs where proposals include significant increases to the number of residential units beyond those signaled in an ASP or where proposals are likely to require changes to planned transportation, parks and utility infrastructure.</p> <p><i>The subject property was identified as cluster housing in the Neighbourhood 3 ASP. The ASP anticipated 15 to 20 dwellings per hectare, but up to 30 was possible. This proposal is consistent with 16.9 units per hectare proposed.</i></p>
Policy 7.2.1 Ground Oriented Housing	<p>Consider a range of low-density ground-oriented housing development to improve housing diversity and affordability to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or transportation facilities</p> <p><i>The proposed development provides ground-oriented housing.</i></p>

**6.0 Technical Comments**

6.1 Development Engineering Department

6.1.1 Attached Development Engineering Memorandum dated January 9<sup>th</sup>, 2023.

**7.0 Application Chronology**

Date of Application Accepted: July 5<sup>th</sup>, 2022  
Date Public Consultation Completed: December 14<sup>th</sup>, 2022

**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: Development Engineering Memo  
Attachment B: Site Plan

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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** August 19, 2022  
**File No.:** Z22-0042  
**To:** Urban Planning Manager (LK)  
**From:** Development Engineering Manager (NC)  
**Subject:** 949 Hewetson Court Rezoning A1 to RU4H

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The Development Engineering Branch has the following comments for this Rezoning application for the cluster housing project named The Heights At Upper Mission. All works and servicing upgrades will be required as a condition of rezoning. The Development Engineering Technician for this project is John Filipenko ([jfilipenko@kelowna.ca](mailto:jfilipenko@kelowna.ca)).

**1. GENERAL**

- a. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, [arif.bhatia@canadapost.ca](mailto:arif.bhatia@canadapost.ca) to obtain further information and to determine suitable location(s) within the development.
- b. 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.

**2. DOMESTIC WATER AND FIRE PROTECTION**

- a. The subject lot is located within the City of Kelowna water supply area.
- b. The existing lot is not currently serviced. Only one service will be permitted for this development.
- c. The Developer's Consulting Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw maximum fire flow demand for two dwelling residential is 60 L/s and is available at the property line of the site. If it is determined that upgrades to any other existing water distribution system must be made to achieve the required fire flows at the higher elevations of the site, additional bonding may be required.

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- d. The Neighborhood 3 Area Structure Plan identifies that this property requires a booster station. The booster station will serve this property exclusively and need to be privately owned and operated by the property owner, if determined to be necessary to achieve MDD+FF demand for the site. The Developer's Consulting Engineer must consider infrastructure design that is adequate for fire protection, including fire hydrants, fire flows, and backup power.
- e. An approved backflow protection device must be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- f. A water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at their cost.
- g. The subject property is within the South Mission Water ESA #15 and the Kuipers Reservoir Expansion ESA #17 and latecomer fees will apply.

### 3. **SANITARY SEWER SYSTEM**


- a. The subject property is located within the City of Kelowna sewer service area.
- b. Our records indicate that this property is not currently serviced by sanitary sewer.
- c. Service connections are to be completed with an inspection chamber (c/w Brooks Box) as per SS-S7 and may not be extended at an angle that exceeds 45° from perpendicular to the main.
- d. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.
- e. Only one service will be permitted for this development.

### 4. **STORM DRAINAGE**

- a. The subject property is located within the City of Kelowna drainage service area. The hillside areas of Kelowna are not suitable for groundwater recharge or disposal of on/offsite drainage via infiltration. Roof or site drainage for this development must discharge directly to the City of Kelowna's storm system at the 1:5 yr pre-development rate. The City will not permit infiltration to ground except for foundation perimeter drains above the established high-level groundwater table.
- b. Our records indicate that this property is not currently serviced by storm sewer.
- c. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900.

<b>ATTACHMENT</b>		A
This forms part of application # Z22-0042		
Planner Initials	TC	 City of <b>Kelowna</b> 194 DEVELOPMENT PLANNING

- d. Provide the following drawings:
- a. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill), grading directly to a natural drainage path must include adequate erosion control and water quality improvement measures;
  - b. A detailed Stormwater Management Plan for this development; and,
  - c. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- e. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 Detention Storage.
- f. As per Bylaw 7900, Schedule 4, Section 3.1.3 Climate Change, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, and applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- g. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- h. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.
- i. Identify clearly on a contour map, or lot grading plan, all steep areas (>30 %). Provide cross sections for all steep areas at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.
- j. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.
- k. Only one service will be permitted for this development.

<b>ATTACHMENT</b>		<b>A</b>
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**5. ROAD IMPROVEMENTS**

- a. Hewetson Court fronting the subject property must be upgraded to an urban standard (modified SS-H14) with a landscaped and irrigated boulevard.
- b. All Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IIABC, are to be included as a line item in the estimate for the Servicing Agreement performance security. Landscape and irrigation plans require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.
- c. Grade the fronting road boulevards in accordance with the standard drawing. Major cut/fill slopes must start at the property lines.
- d. Streetlights must be installed on all public roads. All streetlighting plans are to include photometric calculations demonstrating Bylaw 7900 requirements are met and require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.


**6. POWER AND TELECOMMUNICATION SERVICES**

- a. All proposed distribution and service connections are to be installed underground. It is the developer’s responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant’s cost. The utility companies are required to obtain the City’s approval before commencing construction.
- b. Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges.

<b>ATTACHMENT</b>		<b>A</b>
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## 7. GEOTECHNICAL STUDY


- a. Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**
- b. The Geotechnical reports must be submitted to the Development Services Department (Subdivision Approving officer) for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
  - a. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
  - b. Site suitability for development.
  - c. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
  - d. Any special requirements for construction of roads, utilities and building structures.
  - e. Slope stability, rock fall hazard and slippage including the effects of drainage on the site.
  - f. Identify slopes greater than 30%.
  - g. Top of bank assessment and location including recommendations for property line locations, building setbacks, and ground water disposal locations.
  - h. Recommendations for items that should be included in a Restrictive Covenant.
  - i. Any special requirements that the proposed development should undertake so that it will not impact the banks(s). The report must consider erosion and structural requirements.
  - j. Recommendations for erosion and sedimentation controls for water and wind.
  - k. Any items required in other sections of this document.
  - l. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- c. If any blasting is proposed as part of this subdivision, a Soil Removal and Deposit Application must be made to the City for such works. The proposed blasting work is to comply with Amendment No. 1 to the Soil Removal and Deposit Regulation Bylaw No. 9612, specifically Section 6 PERMIT REQUIREMENTS – (k) and (g).

<b>ATTACHMENT</b>		<b>A</b>
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- d. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:
- “Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.”
- e. The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia’s *Professional Practice Guidelines for Retaining Wall Design*. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of *Retaining Wall Design Guideline*) and any necessary independent reviews (as per EGBC’s *Documented Independent Review of Structural Designs*).
- f. Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.
- g. Any exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer. For adequate Rockfall Protection adjacent to walls and rock cuts, please consider BC MoTI Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.

## 8. ROAD DEDICATION AND SITE-RELATED ISSUES

- a. Review existing cul-de-sac for turning movements. Dedicate and improve Hewetson Court as required for full turning movements based on City of Kelowna SS-R17.
- b. Only one driveway will be permitted with a maximum width of 6.0m.
- c. Indicate, on the site, the locations of the garbage and recycle bins. Provide turning movements for a HSU vehicle to confirm maneuverability on site without requiring reverse movement onto Findlay Road.
- d. Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City lands.
- e. If any road dedication affects lands encumbered by a Utility right-of-way, please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City’s Development Manager.

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- f. To prevent private/public encroachment, the applicant will be required to delineate all private property lines adjacent to the open space parcel with a minimum 1.2m high black vinyl chain link fence (or approved equivalent) located 150mm within the private property. On residential lots with registered no-disturb covenants immediately adjacent to the Natural Area Park, the fence shall be located 150mm before the start of the covenant.

**9. DESIGN AND CONSTRUCTION**

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b. Engineering drawing submissions are to be in accordance with the City’s “Engineering Drawing Submission Requirements” Policy. Please not ethe number of sets and drawings required for submissions.
- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d. A “Consulting Engineering Confirmation Letter” (City document “C”) must be completed prior to submission of any designs.
- e. Before any construction related to the requirements of this application commences, design drawings prepared by a professional engineer must be submitted to the City’s Development Services department. The design drawings must first be “Issued for Construction” by the City Engineer. On examination of design drawings, it may be determined that right-of-ways are required for current or future needs.

**10. SERVICING AGREEMENTS FOR WORKS AND SERVICES**

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

<b>ATTACHMENT</b>		<b>A</b>
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**11. CHARGES, FEES, AND SECURITIES**

- a. Development Cost Charges (DCC’s) are payable.
- b. Fees per the “Development Application Fees Bylaw” include:
  - a. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
  - b. Engineering and Inspection Fee: 3.5% of construction value (plus GST).
- c. Extended Service Area Latecomer Fees:

ESA#	Frontender	Component	Anniversary (rates increase)	\$ Rate per EDU*
15	No. 21 Great Project Ltd.	South Mission Water (750mm Water Main)	2022-12-19	689.14
17	No. 21 Great Project Ltd.	Kuipers Reservoir Expansion	2023-06-01	2087.42


\*These fees are to be confirmed at time of development.

  
 Nelson Chapman, P.Eng.  
 Development Engineering Manager  
 CP for JF

**ATTACHMENT** A

This forms part of application  
 # Z22-0042

Planner Initials TC

City of  
**Kelowna**  
DEVELOPMENT PLANNING



# ATTACHMENT B

This forms part of application  
# Z22-0042

Planner Initials **TC**



241 - 1890 SPRINGFIELD ROAD, KELLOWNA, BC, V1Y 9V9  
PHONE: (250) 878-9881  
WWW.GTAARCHITECTURE.COM

## THE HEIGHTS AT UPPER MISSION



**NOTES:**

1. MFE: XXXXX DENOTES BUILDING MAIN FLOOR ELEVATION.
2. SEE CIVIL DRAWINGS FOR DETAILED PROPOSED GRADING PLAN, RETAINING AND GEODETIC DATUM.
3. SEE LANDSCAPE DRAWINGS FOR TREES AND PLANTING LAYOUT, SPECIES, IRRIGATION AND MORE.
4. GARBAGE AND RECYCLING ENCLOSURE IS NOT SHOWN AS DOOR COLLECTION IS PROPOSED.

**SITE AREA: 18,260 m<sup>2</sup>**

**SITE COVERAGE CALCULATION**

WALK-OUT UNITS	20 X 1,503 sf	=	30,060 sf
WALK-OUT UNITS (RANCHERS)	4 X 1,503 sf	=	6,012 sf
WALK-UP UNITS	6 X 1,521 sf	=	9,126 sf
SINGLE FAMILY	1 X 1,844 sf	=	1,844 sf
<b>SITE COVERAGE BUILDINGS:</b>			<b>47,042 sf (4,370 m<sup>2</sup>)</b>
<b>SITE COVERAGE BUILDINGS:</b>			<b>24%</b>
<b>ROADS AND PARKING AREAS</b>			<b>31,647 sf (2,940 m<sup>2</sup>)</b>
<b>TOTAL SITE COVERAGE:</b>			<b>78,689 sf (7,311 m<sup>2</sup>)</b>
<b>SITE COVERAGE:</b>			<b>40%</b>

BUILDING AREAS	FINISHED	UNFINISHED	TOTAL
WALK-OUT UNITS	2,424 sf (669 m <sup>2</sup> )	(669 sf)	20 X 48,480 sf (13,380 m <sup>2</sup> )
WALK-OUT UNITS (RANCHERS)	2,450 sf (632 m <sup>2</sup> )	(632 sf)	4 X 9,800 sf (2,528 m <sup>2</sup> )
WALK-UP UNITS	2,775 sf (682 m <sup>2</sup> )	(682 sf)	6 X 16,350 sf (4,092 m <sup>2</sup> )
SINGLE FAMILY	3,356 sf (645 m <sup>2</sup> )	(645 sf)	1 X 3,356 sf (645 m <sup>2</sup> )
<b>TOTAL</b>			<b>78,286 sf (20,645 m<sup>2</sup>)</b>

AMENITY AREAS	FINISHED + UNFINISHED	REQUIRED
COMMUNITY GARDEN	1,140 sf (106m <sup>2</sup> )	124m <sup>2</sup>
LOOKOUT AREA	346 sf (55m <sup>2</sup> )	
<b>TOTAL AMENITY AREA</b>	<b>1,486 sf (161m<sup>2</sup>)</b>	<b>REQUIRED = 124m<sup>2</sup></b>

**SITE PLAN LEGEND**

	PROPERTY LINE		SETBACK LINE
	FENCE		RETAINING WALL (MAX. 3m HEIGHT)
	WALK-OUT UNIT		WALK-UP UNIT
	WALK-OUT UNIT (RANCHER)		SINGLE FAMILY HOUSE
	ROAD		HARD SURFACE PARKING/ DRIVEWAYS/ WALKWAYS
	PATH TO CITY TRAILS		PUBLIC AMENITY AREA
	DECK (LANDSCAPE PAD UNDER ALL DECKS. SEE LANDSCAPE DWGS)		

1 SITE PLAN  
A1.01  
1" = 30'-0"

DESIGN: I. BUILDING ENVELOPE: I. DEVELOPMENT CONSULTING

NO.	DATE	DESCRIPTION
1	2022.05.25	FOR CLIENT REVIEW
2	2022.06.01	FOR CLIENT REVIEW
3	2022.06.11	FOR CLIENT REVIEW
4	2022.05.12	FOR CLIENT REVIEW
5	2022.05.07	REVISION FOR REZONING + DEV. PERMIT
6	2022.04.29	REVISION FOR REZONING + DEV. PERMIT
8	2022.12.02	REV 1 REZ + DP



ISSUED FOR REZONING + DEVELOPMENT PERMIT

PROJECT  
**THE HEIGHTS AT UPPER MISSION**

44 HEWESTON COURT, KELLOWNA, BC, V1Y 9A4

SHEET TITLE  
**SITE PLAN**

**A1.01**

DESIGNED: CP DRAWN: AW  
SCALE: As indicated FILE: A22-02

G:\Shared drives\GTA Online Server\2022 Architecture\A22-02 The Heights at Upper Mission\3.0 CADD\BIM\A22-02 The Heights (37)7.rvt

**CITY OF KELOWNA**

**BYLAW NO. 12473**

**Z22-0042**

**949 Hewetson Court**

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 1 District Lot 579 SDYD Plan EPP77194, located on Hewetson Court, Kelowna, BC, from the RU1 – Large Lot Housing zone to the MF2 – Townhouse 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, 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**

Z22-0042  
949 Hewetson Court  
Rezoning Application

# Purpose

- ▶ To rezone the subject property from the RU<sub>1</sub> – Large Lot Housing zone to the MF<sub>2</sub> – Townhouse Housing zone to facilitate a multi-family development.

# Development Process



Jul 5, 2022

Development Application Submitted



Staff Review & Circulation



Dec 14, 2022

Public Notification Received



Jan 9, 2023

Initial Consideration



Reading Consideration



Final Reading & DP



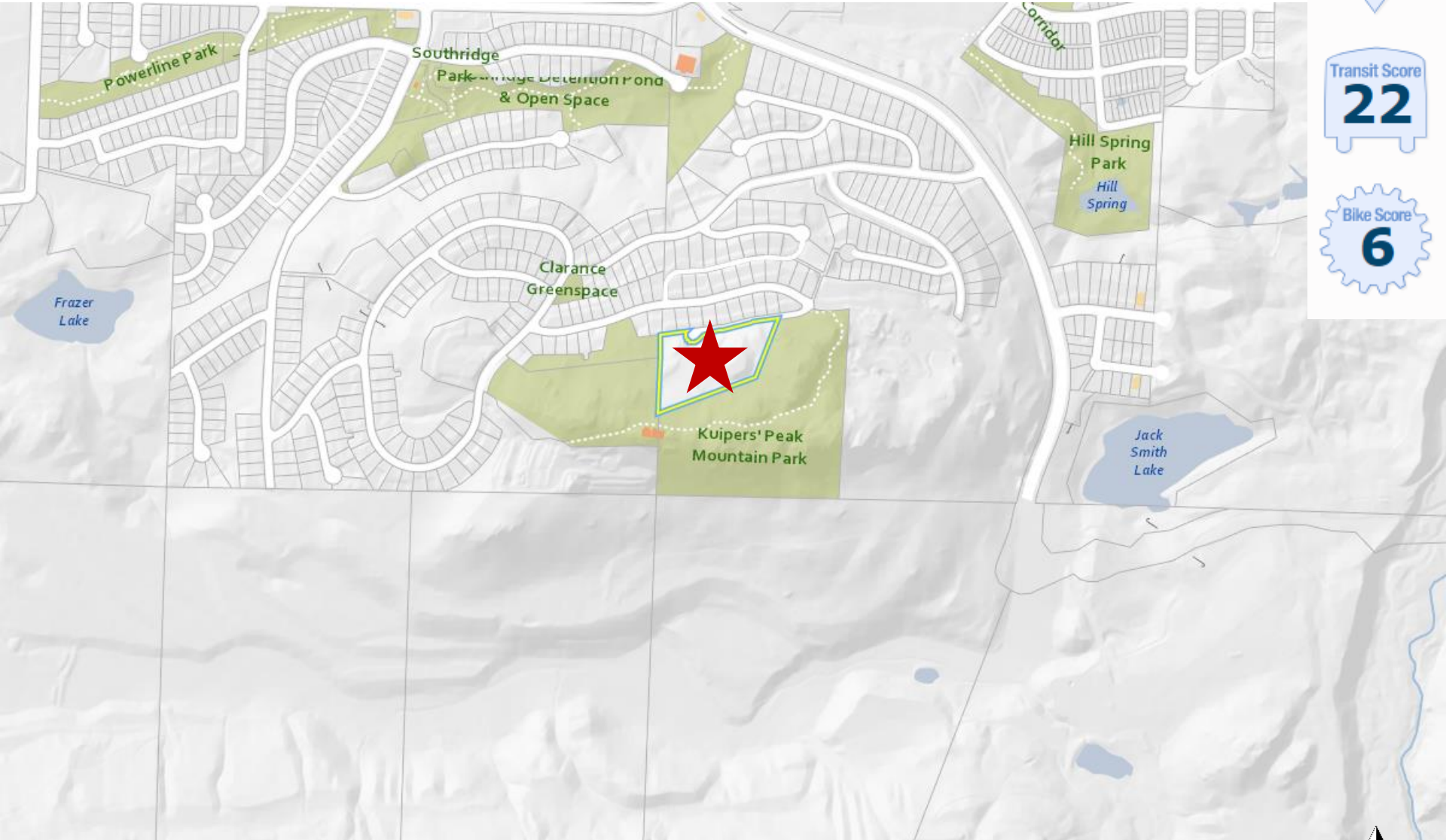
Building Permit



Council Approvals



# Context Map



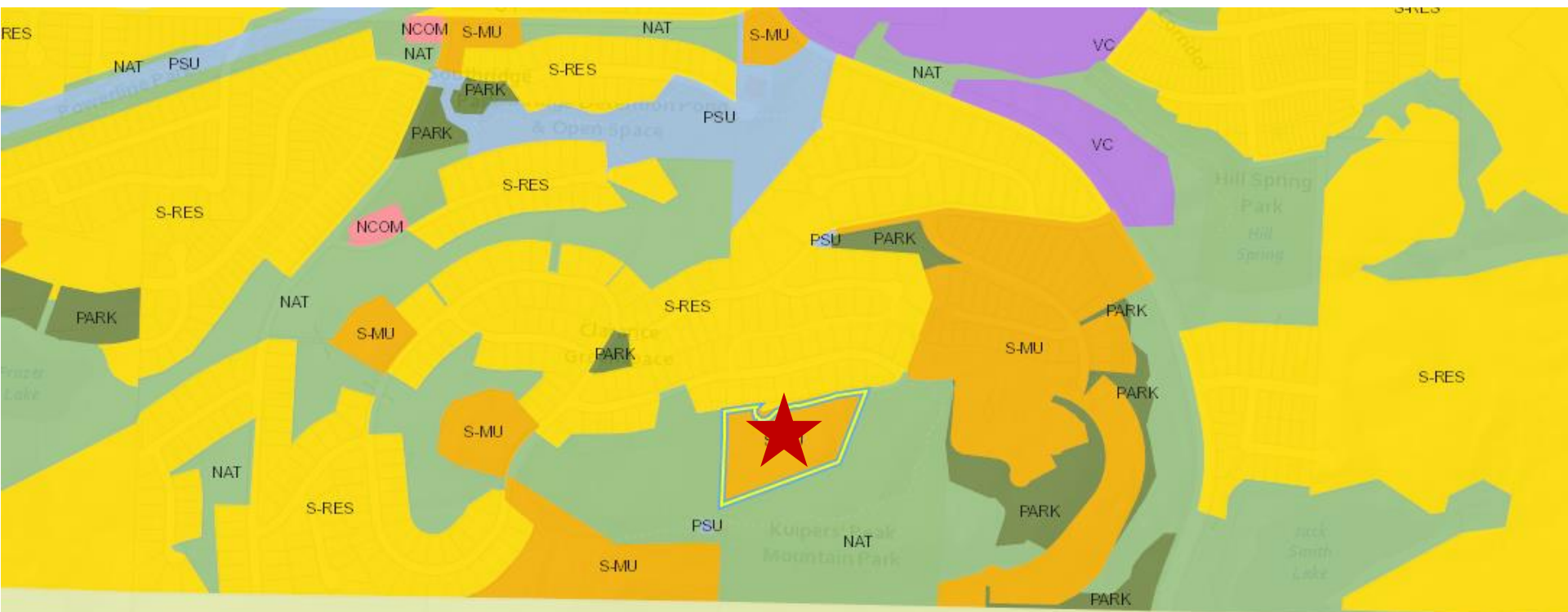
Walk Score  
**4**

Transit Score  
**22**

Bike Score  
**6**



# OCP Future Land Use





# Subject Property Map



# Project Details

- ▶ The Rezoning to the MF2 zone is to facilitate the construction of 31 new residential units.
  - ▶ Semi-Detached and Single Dwelling Housing.
- ▶ The property will be accessed by a new drive aisle from Hewetson Court.
- ▶ The proposal will include two pedestrian accesses to Kuiper's Mountain Park, including a Statutory-Right-Of-Way to allow public access.
- ▶ No Variances have been identified.



# Draft Site Plan



- NOTES:**
1. MFE: 1000XX DENOTES BUILDING MAIN FLOOR ELEVATION.
  2. SEE CIVIL DRAWINGS FOR DETAILED PROPOSED GRADING PLAN, RETAINING AND GEODETIC DATUM.
  3. SEE LANDSCAPE DRAWINGS FOR TREES AND PLANTING LAYOUT, SPECIES, IRRIGATION AND MORE.
  4. GARBAGE AND RECYCLING ENCLOSURE IS NOT SHOWN AS DOOR COLLECTION IS PROPOSED.

**SITE AREA: 18,280 m<sup>2</sup>**

**SITE COVERAGE CALCULATION**

WALK-OUT UNITS	20	X	1,503 sf	=	30,060 sf
WALK-OUT UNITS (RANCHER)	4	X	1,503 sf	=	6,012 sf
WALK-UP UNITS	6	X	1,521 sf	=	9,126 sf
SINGLE FAMILY	1	X	1,844 sf	=	1,844 sf
<b>SITE COVERAGE BUILDINGS:</b>	<b>47,042 sf (4,879 m<sup>2</sup>)</b>				
<b>SITE COVERAGE BUILDINGS:</b>	<b>24%</b>				
<b>ROADS AND PARKING AREAS</b>	<b>31,547 sf (2,940 m<sup>2</sup>)</b>				
<b>TOTAL SITE COVERAGE:</b>	<b>78,589 sf (7,311 m<sup>2</sup>)</b>				
<b>SITE COVERAGE:</b>	<b>40%</b>				

**BUILDING AREAS**

	FINISHED	UNFINISHED	TOTAL
WALK-OUT UNITS	2,424 sf (659 m <sup>2</sup> )	20 X	48,480 sf (13,380 m <sup>2</sup> )
WALK-OUT UNITS (RANCHER)	2,460 sf (632 m <sup>2</sup> )	4 X	9,800 sf (2,528 m <sup>2</sup> )
WALK-UP UNITS	2,775 sf (652 m <sup>2</sup> )	6 X	16,650 sf (4,052 m <sup>2</sup> )
SINGLE FAMILY	3,356 sf (645 m <sup>2</sup> )	1 X	3,356 sf (645 m <sup>2</sup> )
<b>TOTAL</b>			<b>78,286 sf (20,846 m<sup>2</sup>)</b>

**TOTAL GROSS FLOOR AREA (G.F.A.)** FINISHED + UNFINISHED = 8,191 m<sup>2</sup> / 88,811 sf

**AMENITY AREAS**

COMMUNITY GARDEN	1,140 sf (106m <sup>2</sup> )	
LOOKOUT AREA	346 sf (32m <sup>2</sup> )	
<b>TOTAL AMENITY AREA</b>	<b>1,486 sf (137m<sup>2</sup>)</b>	<b>REQUIRED = 134m<sup>2</sup></b>

**SITE PLAN LEGEND**

PROPERTY LINE	SETBACK LINE	ROAD
FENCE	RETAINING WALL (MAX. 3m HEIGHT)	HARD SURFACE PARKING/ DRIVEWAYS/ WALKWAYS
WALK-OUT UNIT	WALK-UP UNIT	PATH TO CITY TRAILS
WALK-OUT UNIT (RANCHER)	SINGLE FAMILY HOUSE	DECK ENCLOSURE PAD UNDER ALL DECKS. (SEE LANDSCAPE DWG3)
		PUBLIC AMENITY AREA

1 SITE PLAN  
A1.01  
1" = 30'-0"



# Draft Rendering



# OCP Objectives & Policies

- ▶ Policy 7.1.1. Area Structure Plan consistency.
  - ▶ The proposal meets the Neighbourhood 3 ASP, which anticipates 15-20 dwellings per hectare.
  - ▶ The application proposes 16.9 units per hectare.
- ▶ Policy 7.2.1. Ground-Oriented Housing.
  - ▶ The proposal provides ground-oriented housing.

# Staff Recommendation

- ▶ Staff recommend support for the proposed rezoning as it is consistent with:
  - ▶ Subject property is within the Permanent Growth Boundary.
  - ▶ Meets the OCP Future Land Use: Suburban Multiple Unit and the Neighbourhood 3 ASP objectives/policies.
  - ▶ Development Permit to follow.

# Report to Council



**Date:** January 9, 2023  
**To:** Council  
**From:** City Manager  
**Department:** Office of the City Clerk  
**Subject:** Rezoning Bylaws Supplemental Report to Council

---

**Recommendation:**

THAT Council receives, for information, the report from the Office of the City Clerk dated January 9, 2023, with respect to six rezoning applications;

AND THAT Rezoning Bylaws No. 12459, 12461, 12462, 12463, 12464 and 12465 be forwarded for further reading consideration.

**Purpose:**

To receive a summary of notice of first reading for Rezoning Bylaws No. 12459, 12461, 12462, 12463, 12464, 12465 and to give the bylaws further reading consideration.

**Background:**

Zoning bylaws that are consistent with the OCP do not require a public hearing. Public notice is given before first reading with signage on the subject property, newspaper advertisements, and mailouts in accordance with the Local Government Act and Development Application & Heritage Procedures Bylaw No. 12310.

**Discussion:**

The six Rezoning Applications were brought forward to Council for initial consideration on November 28, 2022 and December 5, 2022. Notice of first reading was completed as outlined above.

Correspondence was received as per the following table:

Address	Application	Bylaw	Initial Consideration Date	Recommended Readings	Correspondence Received
<a href="#">645 Hemlock Rd</a>	Z22-0058	12459	Nov 28	1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup>	0
<a href="#">662 Berk Ct</a>	Z22-0054	12461	Dec 5	1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup>	0
<a href="#">625 Eastbourne Rd</a>	Z22-0067	12462	Dec 5	1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup>	0
<a href="#">115, 175 Kneller Rd</a>	Z22-0014	12463	Dec 5	1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup>	0
<a href="#">175, 235, 239 Kneller Rd &amp; 1161 Kneller Ct</a>	Z22-0013	12464	Dec 5	1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup>	0
<a href="#">699 Welke Rd</a>	Z22-0050	12465	Dec 5	1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup>	0

These applications were brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaws.

**Conclusion:**

Following notice of first reading, staff are recommending that Council give Rezoning Bylaws No. 12459, 12461, 12462, 12463, 12464 and 12465 further reading consideration.

**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, Council may choose to:

- give a bylaw reading consideration,
- give a bylaw first reading and 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: P Selzer, Legislative Technician

Approved for inclusion: L. Bentley, Deputy City Clerk

cc: Development Planning



**CITY OF KELOWNA**

**BYLAW NO. 12459**

**Z22- 0058**

**645 Hemlock Rd**

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification Lot 15 Section 26 Township 26 ODYD Plan 19924, located on Hemlock Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex 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, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

**CITY OF KELOWNA**

**BYLAW NO. 12461**

**Z22- 0054  
662 Berk Crt**

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification Lot A District Lot 357 SDYD Plan 30572 Except Plan 37931, located on Berk Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex 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, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 12462**  
**Z22-0067**  
**625 Eastbourne Road**

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot 111 Section 23 Township 26 ODYD Plan 24631, located on Eastbourne Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Approved under the Transportation Act this

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(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 12463**  
**Z22-0014**  
**115 & 175 Kneller Road**

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Portions of Lot 1 Section 27 Township 26 ODYD Plan EPP63257, located on Kneller Road, Kelowna, BC, from the RU1 – Large Lot Housing zone to the MF3r – Apartment Housing Rental Only zone as per Map "A" attached to and forming part of this bylaw;
2. AND THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Portions of Parcel A (Plan B1566) of Lot 4 Section 27 Township 26 ODYD Plan 426 Except Plan 39686, located on Kneller Rd, Kelowna, BC, from the MF2 – Townhouse Housing zone to the MF3r – Apartment Housing Rental Only zone as per Map "A" attached to and forming part of this bylaw;
3. 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, second and third time by the Municipal Council this

Approved under the Transportation Act this

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(Approving Officer – Ministry of Transportation)

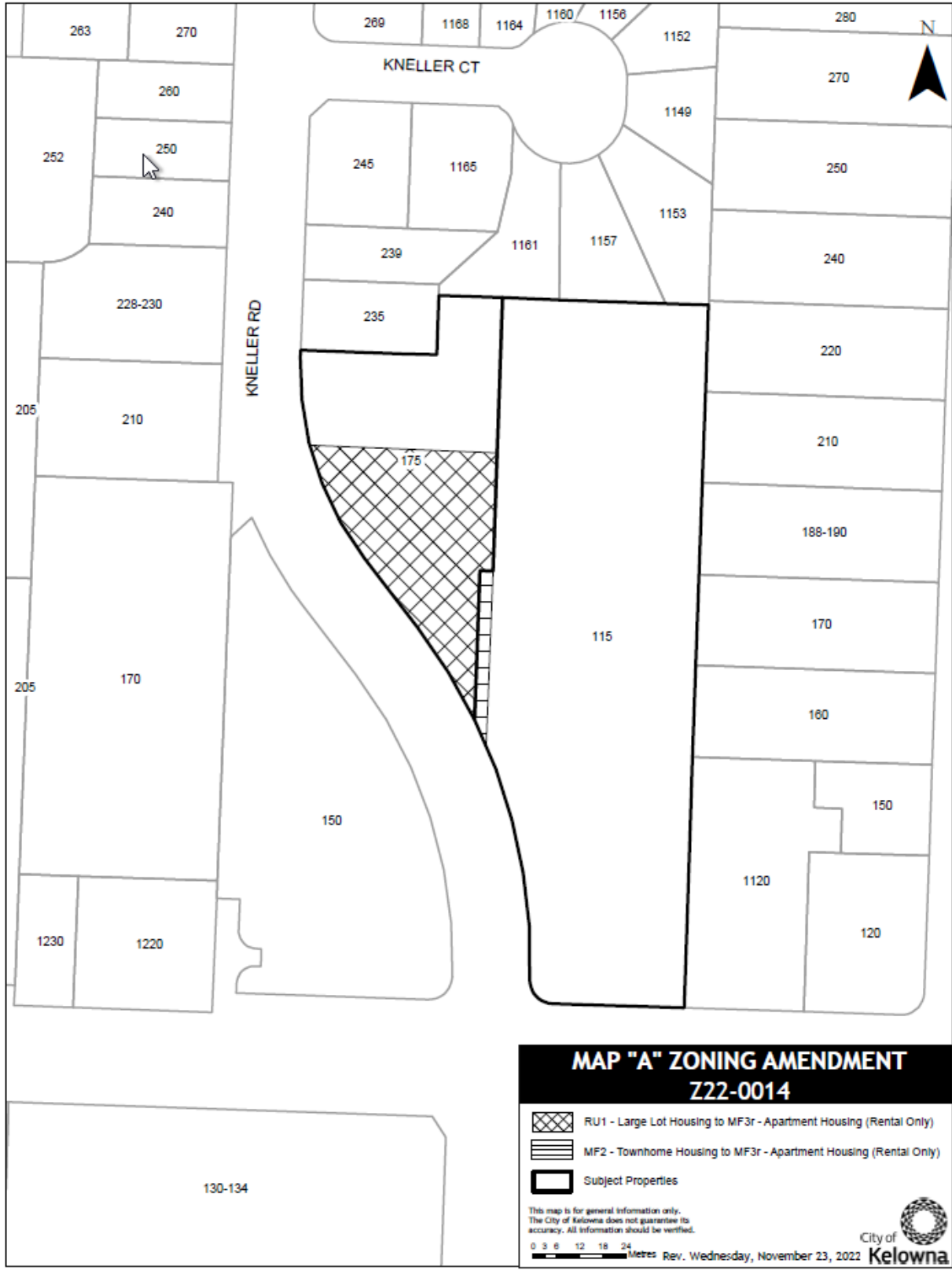
Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk





**CITY OF KELOWNA**

**BYLAW NO. 12464**

**Z22-0013**

**175, 235,239 Kneller Road & 1161 Kneller Court**

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of:
  - a. Lot 1 Sections 26 and 27 Township 26 ODYD Plan KAP58054, located on Kneller Road, Kelowna, BC;
  - b. Lot 2 Sections 26 and 27 Township 26 ODYD Plan KAP58054, located on Kneller Road, Kelowna, BC;
  - c. Portions of Lot B Section 27 Township 26 ODYD Plan KAP73698, located on Kneller Court, Kelowna, BC;
  - d. Portions of Lot 1 Section 27 Township 26 ODYD Plan EPP63257, located at on Kneller Road, Kelowna, BC;from the RU1 – Large Lot Housing zone and the RU2 – Medium Lot Housing zone to the CA1r – Core Area Mixed Use Rental Only zone as shown on Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Approved under the Transportation Act this

---

(Approving Officer – Ministry of Transportation)

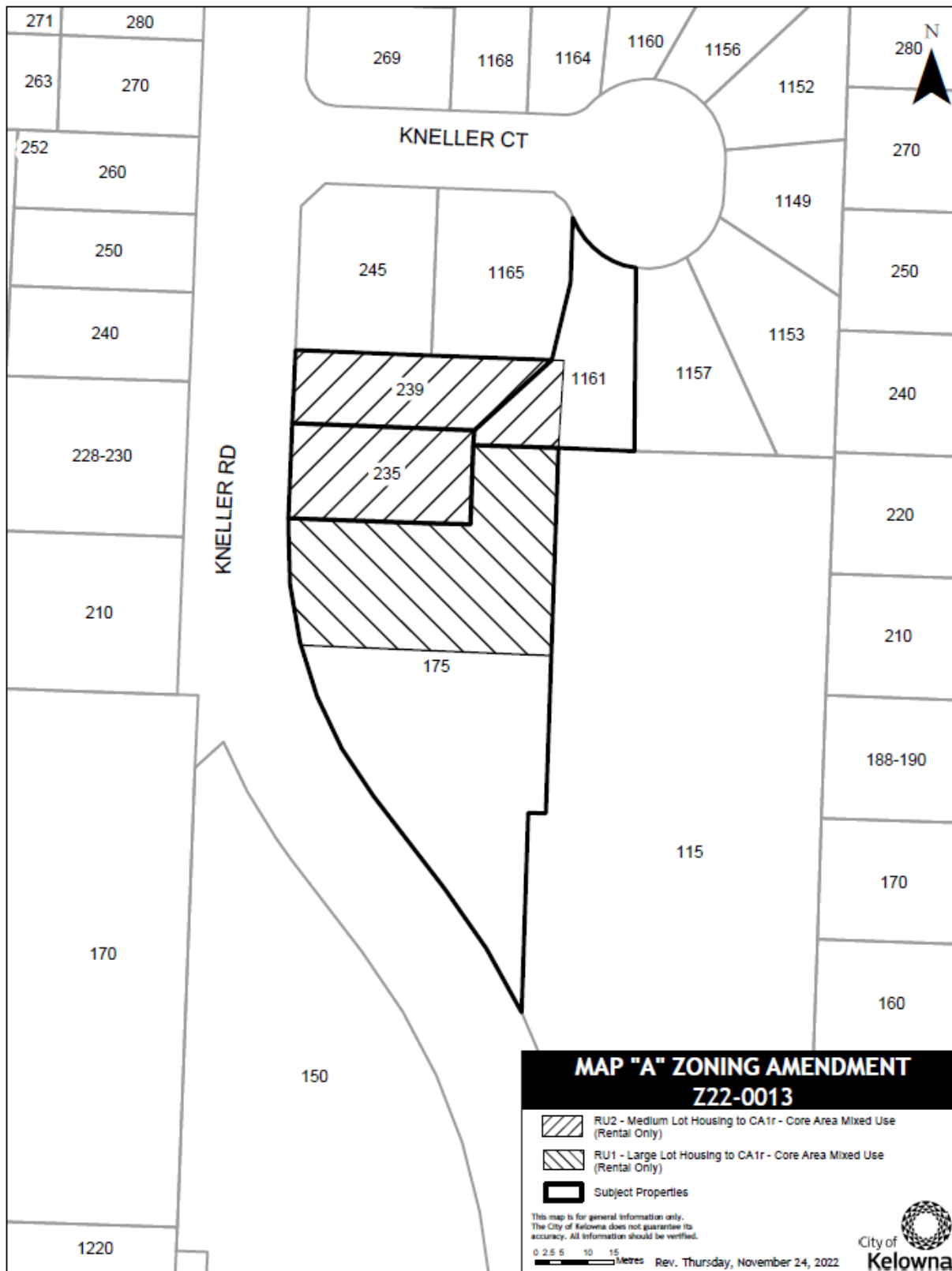
Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



**CITY OF KELOWNA**

**BYLAW NO. 12465**

**Z22- 0050**

**699 Welke Road**

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification Lot 7 District Lot 358 ODYD Plan 21967, located on Welke Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex 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, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# CITY OF KELOWNA

## BYLAW NO. 12442

### Official Community Plan Amendment No. OCP21-0015 5548 Upper Mission Drive

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A bylaw to amend the "Kelowna 2040 – Official Community Plan Bylaw No. 12300".

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

1. THAT Map 3.1 – **Future Land Use** of "Kelowna 2040 – Official Community Plan Bylaw No. 12300" be amended by changing the Future Land Use designation of portions of The North East ¼ Section 14 Township 28 SDYD Except Plans KAP57304, EPP48322, EPP65254, EPP92619, EPP98834, EPP109053 and EPP116470, located on Upper Mission Drive, Kelowna, B.C., from the NAT – Natural Area designation to the S – MU – Suburban Multiple Unit 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 14<sup>th</sup> day of November, 2022.

Considered at a Public Hearing on the 29<sup>th</sup> day of November, 2022.

Read a second and third time by the Municipal Council this 29<sup>th</sup> day of November, 2022.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



**MAP "A" OCP AMENDMENT  
OCP21-0015**

 NAT - Natural Area to S-MU - Suburban - Multiple Unit

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

0 20 40 Metres

Rev. Wednesday, May 18, 2022





# CITY OF KELOWNA

## BYLAW NO. 12443

### Z21-0051

#### 5548 Upper Mission Drive

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of The North East ¼ Section 14 Township 28 SDYD Except Plans KAP57304, EPP48322, EPP65254, EPP92619, EPP98834, EPP109053 and EPP116470, located on Upper Mission Drive Kelowna, BC from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone 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 14<sup>th</sup> day of November, 2022.

Considered at a Public Hearing on the 29<sup>th</sup> day of November, 2022.

Read a second and third time by the Municipal Council this 29<sup>th</sup> day of November, 2022.

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk



**MAP "B" ZONING AMENDMENT  
Z21-0051**

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

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

0 30 60 Metres Rev. Friday, July 8, 2022



**CITY OF KELOWNA**  
**BYLAW NO. 12445**  
**Z22-0055**  
**1760 Kloppenburg Road**

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 1 Section 18 Township 27 ODYD Plan 21506, located on Kloppenburg Rd, 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, second and third time by the Municipal Council this 5<sup>th</sup> day of November, 2022.

Approved under the Transportation Act this 6<sup>th</sup> day of December, 2022.

Audrie Henry  

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**(Approving Officer – Ministry of Transportation)**

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# CITY OF KELOWNA

## BYLAW NO. 12457

Z22-0069

2592 HWY 97 N

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot 3 District Lot 125 ODYD Plan 3522 Except Plan KAP87674, located on Hwy 97 N, Kelowna, BC from the I1 – Business Industrial zone to the CA1 – Core Area Mixed Use zone as per 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, second and third time by the Municipal Council this 5<sup>th</sup> day of December, 2022.

Approved under the Transportation Act this 6<sup>th</sup> day of December, 2022.

Audrie Henry

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(Approving Officer – Ministry of Transportation)

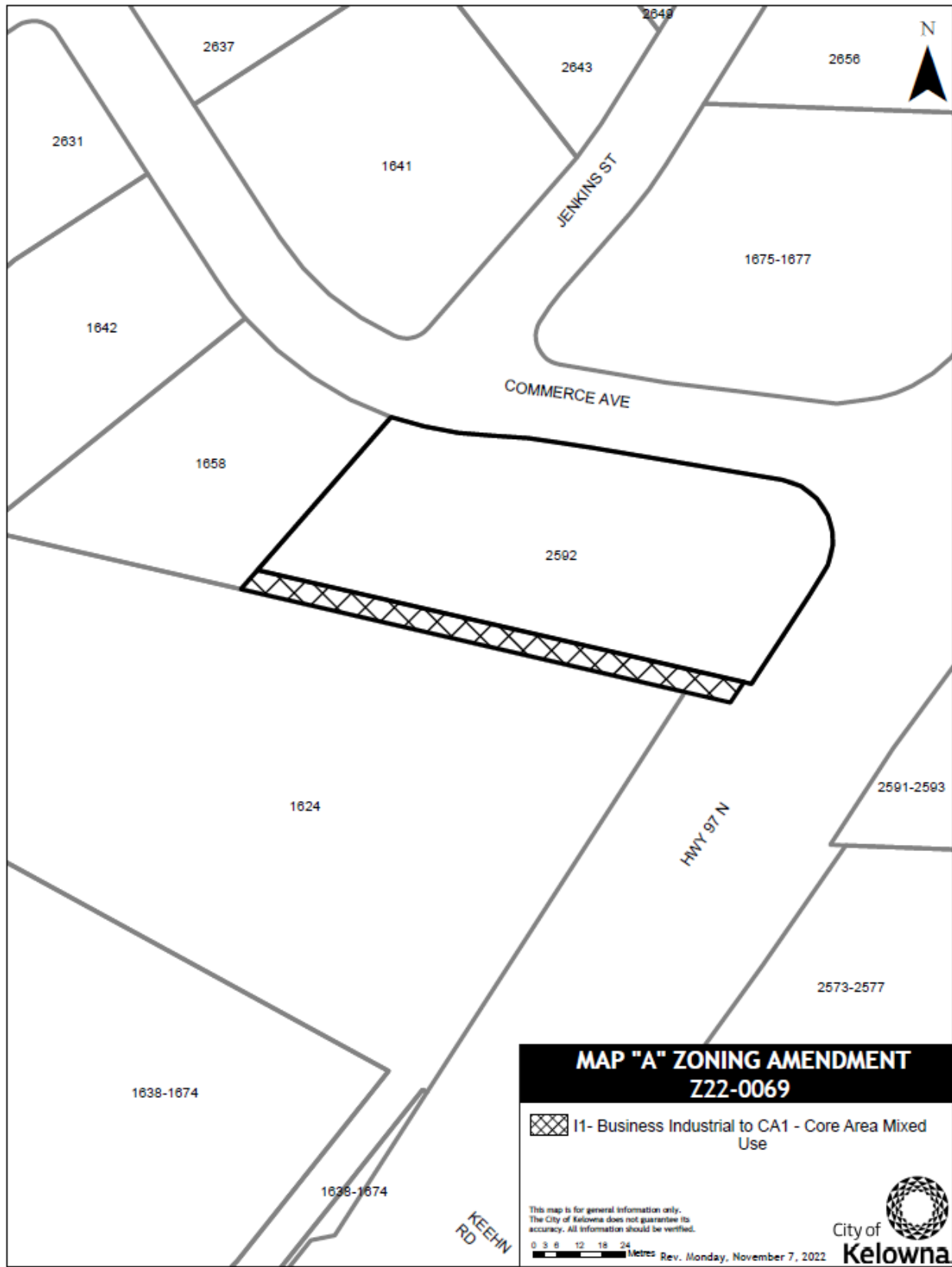
Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk





# Report to Council



**Date:** January 9, 2023  
**To:** Council  
**From:** City Manager  
**Subject:** Pandosy Waterfront Park Grants  
**Department:** Partnerships Office

---

**Recommendation:**

THAT Council receives, for information, the report from the Partnerships Office dated January 9, 2023, with respect to the Pandosy Waterfront Park Grants received.

AND THAT the 2022 Financial Plan be amended to include the receipt of funds.

**Purpose:**

To amend the 2022 Financial Plan to include the receipt of funds from the Provincial Community Economic Recovery Infrastructure Program and the Federal Canada Community Revitalization Fund for accessibility and inclusivity features at the Pandosy Waterfront Park.

**Background:**

Pandosy Waterfront Park is the City’s newest urban lakefront park and will be the premier paddle craft destination on Okanagan Lake.

In 2022, the City of Kelowna received \$390,925 from the Provincial Community Economic Recovery Infrastructure Program and \$750,000 from the Federal Canada Community Revitalization Fund for the Pandosy Waterfront Park. These grants will help contribute to the Imagine Kelowna vision to create great public spaces that bring people together and support an increase in tourism to the region by providing a unique paddling experience for people of all ages and abilities.

**Discussion:**

**Community Economic Recovery Infrastructure Program – Destination Development Stream**

The Community Economic Recovery Infrastructure Program from the Province of BC provides grants to support economic resilience, tourism, heritage, and urban and rural economic development projects in communities impacted by COVID-19.

The City was successful in receiving \$390,925 of funding to develop a public pier at Pandosy Waterfront Park to promote water-based opportunities and contribute to tourism. This grant will fund an elevated pier timber public structure, architectural pier handrail, and paddle buoys.

**Canada Community Revitalization Fund**

The Canada Community Revitalization Fund is a national investment of \$500 million over two years to help fund communities across Canada build and improve community infrastructure projects to rebound from the effects of the COVID-19 pandemic.

The City was successful in receiving \$750,000 of funding from the Government of Canada for the Pandosy Waterfront Park Accessibility Project. The funding will go towards accessibility and inclusivity features at the Pandosy Waterfront Park, including an accessible floating dock and kayak launch, accessible paddle and foot wash station, pedestrian lighting, accessible wayfinding signage, and accessible picnic tables.

**Conclusion:**

The City actively pursues grants to reduce municipal taxation and to leverage City funding for infrastructure, services, and program to support Council, corporate and community priorities.

These two senior government grants will significantly enhance accessibility and inclusivity at the Pandosy Waterfront Park to create a unique paddling location on Okanagan Lake.

To meet the funding requirements, the accessibility and inclusivity features are underway and will be complete by spring 2023.

**Internal Circulation:**

Parks & Buildings Planning  
Financial Services  
Communications

**Considerations applicable to this report:**

***Financial/Budgetary Considerations:***

The Financial Plan Amendment Policy (FIN-032) requires Council approval, through a Report to Council, for amendments greater than \$200,000 prior to Financial Plan amendments being made.

**Considerations not applicable to this report:**

***Legal/Statutory Authority:***

***Legal/Statutory Procedural Requirements:***

***Existing Policy:***

***External Agency/Public Comments:***

***Communications Comments:***

Submitted by:

M. Kam, Grants & Special Projects Manager

**Approved for inclusion:**



Bob Evans, Partnerships Office Director



City of  
**Kelowna**

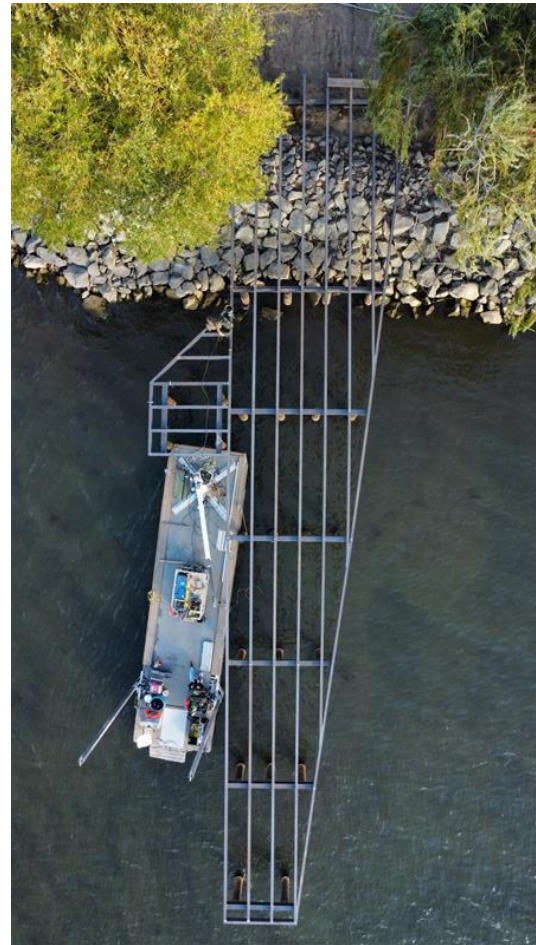
# Pandosy Waterfront Park Grants

January 9<sup>th</sup>, 2023



# Community Economic Recovery Infrastructure Program

- ▶ \$390,925 received from the Province of BC
- ▶ To build park features including:
  - ▶ Elevated public pier
  - ▶ Pier handrail



# Pandosy Waterfront Park Public Pier





# Pandosy Waterfront Park Public Pier

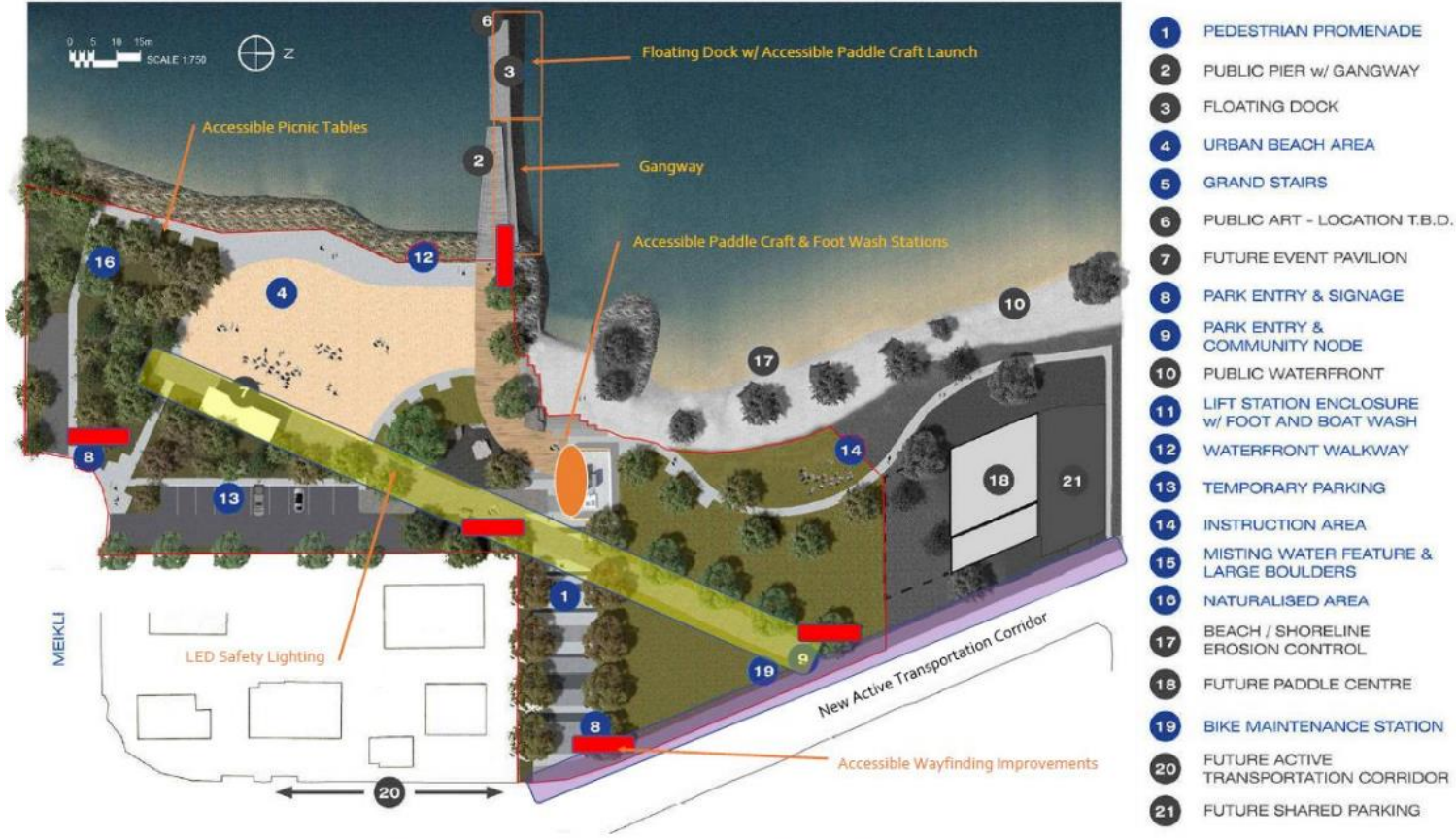


# Canada Community Revitalization Fund

- ▶ \$750,000 received from the Government of Canada
- ▶ Accessibility and inclusivity features including:
  - ▶ Accessible floating dock and kayak launch
  - ▶ Accessible paddle and foot wash stations
  - ▶ Accessible wayfinding signage
  - ▶ Accessible picnic tables
  - ▶ Pedestrian lighting



# Pandosy Waterfront Park Accessibility Features



CCRF Grant Improvements Site Plan – Pandosy Waterfront Park, Kelowna



*Questions?*

For more information, visit [kelowna.ca](http://kelowna.ca).



# Proposed Deputy Mayor Schedule Council 2022 - 2026

Councillor	Start Date	End Date
Charlie Hodge	November 30 2022	May 31 2023
Mohini Singh	June 1 2023	November 29 2023
Loyal Wooldridge	November 30 2023	May 31 2024
Ron Cannan	June 1 2024	November 29 2024
Gord Lovegrove	November 30 2024	May 31 2025
Luke Stack	June 1 2025	November 29 2025
Rick Webber	November 30 2025	May 31 2026
Maxine DeHart	June 1 2026	November 2 (Inaugural meeting) 2026



# CITY OF KELOWNA

## BYLAW NO. 12466

### Amendment No. 2 to Development Application and Heritage Procedures Bylaw No. 12310

---

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Development Application and Heritage Procedures Bylaw No. 12310 be amended as follows:

1. THAT **Schedule 3 – Development Permit Applications**, 1.1.1 Restriction on Delegation be amended by deleting, “b) Form and Character Development Permits for Intensive Residential Development, applicable to properties in the Sensitive Infill Housing Development Permit Area, where:”  
  
and replace with  
  
“b) Form and Character Development Permits for residential development on an MF1 – Infill Housing zoned property where:”;
2. This bylaw may be cited for all purposes as “Bylaw No. 12466, being Amendment No. 2 to Development Application and Heritage Procedures Bylaw No. 12310.”
3. 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, second and third time by the Municipal Council this 5<sup>th</sup> day of December, 2022.

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

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