

City of Kelowna
Regular Council Meeting
AGENDA



Monday, February 27, 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 - 8

PM Meeting - February 13, 2023

3. Reports

3.1 RCMP 2022 Annual Report

9 - 25

To present Council with an update based on 2022 public safety and crime data

4. Development Application Reports & Related Bylaws

4.1 Shanks Rd 4351 - A22-0006 - Jeffrey Dale Pater Polovick

26 - 72

To review a Staff recommendation NOT to support an application to the Agricultural Land Commission to allow for the sale of landscaping products.

4.2 Fuller Rd 4644 - Z22-0057 (BL12482) - James Davidson and Anne Davidson

73 - 89

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 home.

4.3 Coronation Ave 979 983 - Z22-0075 (BL12484) - 979 Coronation GP Ltd. and Jamie Dennis Haynes

90 - 110

To rezone the subject properties from the MF1 – Infill Housing zone to the MF2 – Townhouse Housing zone to facilitate the development of a townhouse development.

4.4	Graham Rd 1385 - Z22-0074 (BL12485) - Gurmit Singh Mann	111 - 129
	To rezone the subject property from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone to facilitate the construction of a second single detached dwelling.	
4.5	Temple Crt 252 - Z22-0045 (BL12486) - Giovanni Lenza and Stonewood Development Corp., Inc.No. BCo671615	130 - 152
	To rezone the subject property from the RU2 – Medium Lot Housing zone to the MF2 – Townhouse Housing zone to facilitate a townhouse development.	
4.6	Lochview Rd 380 - TA21-0014 (BL12487) - Michael Georg Anton Holzhey	153 - 193
	To amend the Zoning Bylaw with a Site-Specific Text Amendment to increase the maximum number of sleeping units for a bed and breakfast and to allow additional permitted uses in the RR1 – Large Lot Rural Residential zone for the subject property.	
4.7	Lochview Rd 380 - BL12487 (TA21-0014) - Michael Georg Anton Holzhey	194 - 195
	To give Bylaw No. 12487 first reading for a Site-Specific Text Amendment for the subject property.	
4.8	Multiple Properties - Z22-0056 (BL12483, 12490, 12491, 12492) - Various Owners	196 - 238
	To rezone the subject properties in accordance with the Zoning Bylaw Transition Plan.	
4.8.1	Multiple Properties - BL12483 (Z22-0056) - Various Owners	239 - 244
	To give Bylaw No. 12483 first reading in order to rezone the subject properties in accordance with the Zoning Bylaw Transition Plan.	
4.8.2	Multiple Properties - BL12490 (Z22-0056) - Various Owners	245 - 246
	To give Bylaw No. 12490 first reading in order to rezone the subject properties in accordance with the Zoning Bylaw Transition Plan.	
4.8.3	Multiple Properties - BL12491 (Z22-0056) - Various Owners	247 - 248
	To give Bylaw No. 12491 first reading in order to rezone the subject properties in accordance with the Zoning Bylaw Transition Plan.	
4.8.4	Multiple Properties - BL12492 (Z22-0056) - Various Owners	249 - 250
	To give Bylaw No. 12492 first reading in order to rezone the subject properties in accordance with the Zoning Bylaw Transition Plan.	

4.9	Rezoning Bylaws Supplemental Report to Council	251 - 252
	To receive a summary of notice of first reading for Rezoning Bylaws No. 12479 and 12481 and to give the bylaws further reading consideration.	
4.9.1	Hoover Rd 1065 - BL12479 (Z21-0098) - Neelam Kumari Khuttan	253 - 253
	To give Bylaw No. 12479 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 to facilitate the development of a second dwelling.	
4.9.2	Union Rd 1975 - BL12481 (Z21-0056) - Multiple Owners	254 - 254
	To give Bylaw No. 12481 first, second and third reading in order to rezone the subject property from the C1 – Local & Neighbourhood Commercial zone to the MF3 – Apartment Housing zone to facilitate the development of Apartment Housing.	
4.10	Casorso Site Area Redevelopment Plan Authorization	255 - 304
	To authorize initiation of an Area Redevelopment Plan process and associated Terms of Reference for the Casorso Neighbourhood Plan Area.	
5.	Non-Development Reports & Related Bylaws	
5.1	Kelowna International Airport Terminal Expansion Loan Authorization Bylaw Amendment	305 - 318
	To amend Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw at third reading to remove the requirement for elector approval.	
5.2	BL12480 - Kelowna International Airport Terminal Building Expansion Loan Authorization Bylaw	319 - 320
	To amend Bylaw No. 12480 at third reading.	
5.3	2023 Value for Money Program	321 - 337
	To approve the 2023 Value for Money (VFM) Assurance projects and to provide an overview on the existing and proposed future of the Value for Money Assurance Program.	
6.	Resolutions	
6.1	Draft Resolution - Kelowna Springs Golf Course, 480 Penno Road	338 - 339
7.	Mayor and Councillor Items	

8. Termination



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, February 13, 2023
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*; Financial Planning Manager, Melanie Antunes*; Utility Planning Manager, Rod MacLean*; Utility Services Manager, Kevin Van Vliet*; Urban Forestry Supervisor, Tara Bergeson*; Deputy City Clerk, Laura Bentley*
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* 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.

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 and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT the Minutes of the Regular Meetings of February 6, 2023 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Rezoning Bylaw Supplemental Report to Council

Staff:

- Confirmed no correspondence had been received for the rezoning of Band Road.

Moved By Councillor Stack/Seconded By Councillor Hodge

THAT Council receives, for information, the report from the Office of the City Clerk dated February 13, 2023, with respect to one rezoning application;

AND THAT Rezoning Bylaw No. 12456 be forwarded for further reading consideration.

Carried

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

Moved By Councillor Webber/Seconded By Councillor DeHart

THAT Bylaw No. 12456 be read a first, second and third time.

Carried

4. Bylaws for Adoption (Development Related)

4.1 Turner Rd 4346 - BL12470 (Z22-0065) - Paul and Leah Williams

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12470 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 2023 Financial Health Dashboard

Staff:

- Displayed a PowerPoint Presentation outlining the new Financial Health Dashboard and new measures for the 2023 financial year and responded to questions from Council.

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Council receive for information the report from the Financial Services Department dated February 13, 2023, with respect to Financial Performance Measures and the development of the 2023 Financial Health Dashboard;

AND THAT Council direct staff to report quarterly on activity performance measures, and annually, as part of the Annual Financial Report, on long-term performance measures as outlined in the report from Financial Services dated February 13, 2023.

Carried

5.2 Water Security Plan

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed guiding principles to be used to guide the development of a Water Security Plan and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council receives for information, the report from Utility Services dated February 13, 2023, with regard to the Water Security Plan (formerly Area Based Water Management Plan) update;

AND THAT Council adopt the nine (9) water related Principles described in this report to guide development of a Water Security Plan;

AND THAT Council instruct staff to develop a draft Water Security Plan for public engagement and input prior to final Council review and adoption.

Carried

5.3 Community Resiliency Investment (CRI) Grant Application

Staff:

- Displayed a PowerPoint Presentation providing an overview of the grant application.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from Parks Services dated February 13, 2023, with regards to the Community Resiliency Investment(CRI) Grant Application;

AND THAT Council provide a resolution in support of the annual CRI program grant application to support wildfire mitigation initiatives;

AND THAT Council supports staff to execute all actions necessary to complete the grant, if successful;

AND FURTHER THAT upon confirmation of the grant award, the 2023 Financial Plan be amended to include the receipt of up to \$200,000 from the Community Resiliency Investment Program.

Carried

6. Resolutions

6.1 Draft Resolution, re; SILGA

Councillor Cannan:

- Provided comments on the two draft SILGA resolutions.

Moved By Councillor Hodge/Seconded By Councillor Singh

THAT Council endorse the draft Mental Health and Addictions Treatment SILGA resolution;

AND THAT Council endorse the draft Transitional Housing with Supports SILGA resolution;

AND THAT Council direct staff to submit the draft resolutions to SILGA.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 BL12460 - Road Closure Bylaw - Portion of road adjacent to 1150 Band Road

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

THAT Bylaw No. 12460 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Lovegrove:

- Spoke to their attendance, on behalf of Mayor Dyas, at the Great Northern Concrete Toboggan Race competition at Big White Resort where the UBCO engineer team won several awards.

Councillor DeHart:

- Spoke to their attendance at the UBCO Downtown Meet Your New Neighbours event sponsored by the Kelowna Chamber of Commerce.
- Spoke to the Parkinson Senior Centre membership.
- Asked for Anita Tozer Award nominees from Council.

Councillor Wooldridge:

- Spoke to their attendance at the UBCO Downtown Meet Your New Neighbours event sponsored by the Kelowna Chamber of Commerce.
- Spoke to the upcoming Sustainable Development Challenge finale on February 23rd, from 6:00 p.m. to 9:00 p.m. at the Mary Irwin Theatre.

Councillor Singh:

- Spoke to a UBCO event that raised the importance of a downtown campus that will bring vibrancy to the community.

Councillor Hodge:

- Spoke to their attendance at the first Tourism Board meeting and will attend another meeting next week.

Councillor Cannan:

- Inquired about the Accessibility Advisory Committee.

City Manager:

- Staff will be bringing forward terms of reference for a provincially mandated Accessibility Committee.

9. Termination

This meeting was declared terminated at 2:58 p.m.

Mayor Dyas

/acm



City Clerk

Report to Council



Date: February 27, 2023
To: City Council
From: City Manager
Subject: RCMP 2022 Year in Review Report
Department: RCMP Superintendent

Recommendation:

THAT Council receive the RCMP 2022 Year in Review Report from the Superintendent, Kelowna RCMP Detachment, dated February 27, 2023.

Purpose:

To present Council with an update based on 2022 public safety and crime data.

Background:

As Council works to develop their priorities, the RCMP are fully prepared to advance any new priorities, goals and/or objectives while remaining aligned with the 2021-2024 Kelowna RCMP Strategic Plan. This Plan sets out to achieve measurable outcomes related to public safety initiatives and is comprised of four pillars:

- 1) Increase the sense of safety in our public spaces;
- 2) Decrease the risk of property crime;
- 3) Earn the trust of more citizens that have experienced persons crimes; and
- 4) Show up at our best for every citizen.

In support of this Strategic Plan, a comprehensive performance measurement and reporting framework was adopted in spring 2021, with minor amendments made in April 2022. With a view to further analyzing crime data and trends, first-quarter reporting each year now encompasses the previous year in review. This report provides a general overview of 2022, with a view to comparing data from 2021. When reviewing the data provided, it must be acknowledged that the pandemic significantly impacted crime in our community. As discussed in the November 2022 Q2/Q3 Report to Council, general crime data trends saw a return to pre-pandemic levels in 2022.

Like other public and private sectors, police agencies are experiencing challenges in recruiting, training, and retaining police officers. Kelowna RCMP Detachment has not been immune from these challenges and was identified as a Provincial Staffing Priority last summer in response to depleted resource levels. Given the summer 2022 staffing concerns, the Kelowna RCMP redirected resources to the frontline to ensure service

levels were maintained throughout the summer. The RCMP secured additional support from B.C. RCMP Detachments during long weekends to ensure adequate resourcing aligned with increased population. With these additional resources in place, the RCMP saw a reduction in calls for service, likely due to increased visibility in high-crime areas.

In Fall 2022, Kelowna RCMP secured significant staffing transfers into the Detachment which re-stabilized our strength in officers on the road. The RCMP continue to monitor the volume of calls for service that, while dropping slightly in 2022, as compared to the previous year, remain well above the number of calls for similar-size communities within the province. The Detachment remains focused on ensuring occupancy rates are aligned with service level agreements for appropriate staffing and will be prepared for the increased number of calls for service expected in the upcoming summer months.

Trends & Themes

Although overall calls for service in 2022 were down 6%, Kelowna RCMP saw an uptick in calls for service in the downtown area (+12.6%). Notwithstanding this increase, Kelowna RCMP were generally able to maintain response times for Priority 1 & 2 calls. Priority 3 & 4 calls were offset considerably by civilianized Watch Support Officers introduced in 2021 who do exceptional work handling many of these less serious incidents. It should also be noted that the RCMP prioritized callbacks in 2022 to enhance the service and trust of those impacted by crime in our community.

Most notably among the 2022 trends, Robberies and Business Break & Enters (B&E) increased from a 2021 baseline. Kelowna RCMP is committed to address these concerning community safety issues which are outlined here.

Robberies

Of concern to our community and the Kelowna RCMP was the 43.3% increase in robbery (violence and threats of violence with property crime) in 2022; an increase of 33 cases compared to 2021. This trend of Robbery occurrences was observed across the province. In addition, as noted in the November Q2/Q3 Report to Council, Kelowna RCMP refined reporting criteria with administrative improvements in 2022, so they align with provincial and federal best practices. This was done to ensure robbery is categorized appropriately going forward. However, it may have contributed to some underreporting in the past. This data set shows a noted jump that we expect to normalize with consistent file categorization.

Kelowna RCMP also responded to violent thefts with proactive measures, including a media strategy to help prevent this type of violent crime. Further, Criminal Intelligence Analysts conducted detailed analysis of robbery files to enable a targeted enforcement approach with repeat offenders and repeat victim locations. It is noteworthy that while there were 22 commercial robberies in Q4 2021, there were 14 in Q4 of 2022. This reduction followed a Detachment-wide proactive response leading into the holiday season when robberies tend to spike.

Break & Enter (Business).

In 2022, Kelowna experienced a 26% increase in reported B&E (Business) crimes committed. In mid-August, in response to these elevated numbers, Kelowna RCMP again began targeted enforcement of priority repeat offenders resulting in a significant reduction in these types of B&Es from August through to the end of the year. Late Q4 analysis highlighted that targeting repeat offenders and the ability to resume proactive enforcement, helped to reduce crime in this area.

To expand slightly on these noted pre-emptive measures, proactive patrols in identified higher crime (“hotspot”) locations were derived from intelligence-driven analytics. Geographical analysis cross-referenced with available crime data aided in the identification of such hotspots. As just one example, specific areas and times within the downtown core were assigned as hotspots with additional patrols strategically deployed to these areas. This led to several high-profile arrests and a significant reduction in Business B&Es in this area. These are encouraging results and this specific initiative will continue in 2023. Notwithstanding, B&E (Business) remains unacceptably high and continues to impact Kelowna; a continued response from police, partners and community will remain a priority.

Traffic

The significant noted reduction in traffic violations can be attributed to the temporary transfer of Traffic Unit members to the frontline during summer 2022, as well as vacant and part-time positions. Additionally, the Unit had several complex and serious traffic investigations in 2022. As of Q4 2022, the Traffic Unit has been re-aggregated and additional officers have been assigned to ensure enhanced enforcement. In 2023, traffic objectives include monitoring a number of key intersections identified as high-collision locations, as well as working with the Province to identify opportunities for roadway and intersection improvements. Further, distracted driving initiatives will be pursued based on strong evidence linking this to vehicle collisions.

YTD 2022 Metricsⁱ

The following includes standardized indicators from the Canadian Police Performance Metrics Framework and measures of the 2021-24 Strategic Plan. All indicators relate to the city of Kelowna:

Police Capacity & Response	2021	2022	% Change
Total Calls for Service	63888	60030	-6%
Total Calls for Service from Downtown area	7394	8327	12.6%
Total Calls for Service from Rutland area ⁱⁱ	Not avail	1481	Not avail
Calls for Service, Priority 1 & 2 ⁱⁱⁱ	22415	20750	-7.4%
Response Time for Priority 1 Calls (in minutes)	8.3	8.3	0%
Response Time for Priority 2 Calls (in minutes)	10.3	10.3	0%
% of Calls for Service receiving Callback ^{iv}	Not avail	38.4%	--
Officer Hours assigned to public spaces: Downtown, Rutland & parks	Not avail	16576	--
Caseload ^v	112.1	100.8	-10.1%
Total Property Offences	11396	11341	-0.5%
Auto Theft	521	564	8.3%
Theft from Motor Vehicle	2474	2126	-14.1%
Break & Enter – Business	679	857	26.2%
Shoplifting	1412	1653	17.1%
Break & Enter – Residential	296	245	-17.2%
Bike Theft	520	612	17.7%
Fraud	1251	1354	8.2%
Mischief	2254	1848	-18.0%
Arson	115	146	27%
% of Thefts which reported Forced Entry ^{vi}	Not avail	37.2%	--
Persons recommended for Charges ^{vii}	--	287	--
Offences by 28 Prolific Offenders on Release ^{viii}	--	483	--

Total Persons Offences	3272	3200	-2.2%
Assault (Common)	1271	1207	-5%
Domestic Violence	944	713	-24.5%
Sex Offences ^{ix}	177	187	5.6%
Theft with Violence (includes Robbery)	76	109	43.4%
Assault Cause Bodily Harm/ Assault with Weapon	410	439	7.1%
Illegal Drugs			
Illegal Drug Trafficking	76	78	2.6%
Traffic Safety			
Traffic Violation Tickets	3248	1730	-46.7%
Collisions – Combined	2042	2001	-2%
Relevant Social Indicators (reflecting policing complexity in Kelowna)			
Calls for Service with Mental Health Component	3104	2897	-6.7%
Calls for service, MHA Apprehensions	599	613	2.3%
Calls for service, Overdose ^x	31	34	9.7%

Conclusion:

The metrics and related data provided within this report are continuously monitored and used by the RCMP to inform, through evidence-based analysis, our decisions and responses to crime and public safety in Kelowna; including that of advocacy for system changes at the Provincial and National policy levels. The Kelowna RCMP Officer in Charge continues to drive transformative change with a focus on sustainable workloads, appropriate staffing levels, and wellness of all members of Kelowna Detachment. By taking care of our people, and increasingly using intelligence and data led targeted enforcement to deploy finite resources, the Kelowna RCMP is positioned to “show up at our best for every citizen”, reduce crime and improve public sense of safety in our community.

Internal Circulation:

Community Safety Department
Communications Department

Submitted by: K. Triance, Superintendent, Kelowna RCMP Detachment

Approved for inclusion:



S. Leatherdale, Divisional Director, Corporate & Protective Services

cc:

D. Caul, Community Safety Director
T. White, Police Services Branch Manager
C. Cornock, Community Safety Services
Manager

ⁱ The following annual metrics are used to monitor delivery of our 2022-2024 Strategic Plan:

- Objective 1, Increase the sense of safety in our public spaces: Citizen perceived level of safety in areas including Downtown & Rutland per City of Kelowna bi-annual Public Safety & Crime Survey
- Objective 2, Decrease the risk of property crime: Percent of property offence charges that resulted in a conviction
- Objective 3, Earn the trust of more citizens that have experienced persons crimes: Detachment participation in trauma-informed practice training, Detachment referrals to community supports
- Objective 4, Show up at our best for every citizen: Seats at senior decision-making table held underrepresented groups; Detachment participation in unconscious bias training & Indigenous Cultural Safety; Detachment participation in mental wellness training and crisis debrief supports; Citizen satisfaction with police services as per City of Kelowna Citizen Survey

ⁱⁱ The Rutland atom was created and applied beginning in April 2022. This number does not reflect the entire year for 2022.

ⁱⁱⁱ Priority 1 calls are the most serious emergency calls and require immediate police response. They involve a risk of loss of life or grievous bodily harm. Examples include in-progress abductions, assaults, domestic disputes, home invasions, robberies, sexual assaults, screams for help, shootings, stabbings, and suicidal persons. Priority 2 calls are urgent calls that require immediate police attention such as a residential break and enter in progress.

^{iv} False alarms, abandoned calls for service, traffic and online reports, assistance outside of public safety and failure to appear are not indicated for follow up calls. New metric, changes to system was required to capture the data. Changes implemented in March 2022.

^v Case loads are defined as the number of Criminal Code offences (excluding drugs and traffic offences) per authorized strength. They represent the workload per officer, and as a result, are often a better indicator of the demand for police services than either a jurisdiction's population or its crime rate. The case load is calculated by dividing the total number of Criminal Code offences by the authorized strength for the reporting period. The case load was calculated using the year previous to the end date of the quarter being reported on (i.e. 2021-07-01 through 2022-06-30). *For reference, in 2020, annual caseload for Coquitlam was 40 (pop 152,800) and for Township of Langley (pop 133,951) was 54.*

^{vi} Excludes shoplifting as forced entry is not relevant. New metric, changes to system was required to capture the data. Changes implemented in March 2022.

^{vii} Consistent with national reporting, the "persons charged" category will include the number of people recommended for property crime offence charges by police (not the number of charges laid or recommended).

^{viii} In Kelowna, prolific offenders are designated as repeat property crime offenders with more than 10 negative contacts with police in the previous year. Not all individuals who meet these criteria are designated as prolific offenders due to the volume of individuals who do meet these criteria. The list of Prolific Offenders is reviewed biannually, at which time persons may be added or removed from the list.

^{ix} Sexual offences include sexual assault level 3 (aggravated), sexual assault level 2 (weapon or causing bodily harm), sexual assault level 1 (common sexual assault), and sexual violations against children.

^x Overdose counts do not reflect all overdose incidents occurring within police service boundaries as response is frequently by paramedics. Where police do not attend, the occurrence will not appear in police records.



2022 Year in Review - Report to Council

Inspector Beth McAndie, Acting Officer in Charge, Kelowna Detachment
February 27, 2023 (OPEN)



RCMP Strategic Plan Objectives

Strategic Enabler: Show up at our best for every citizen

Objective 1: Decrease the risk of property crime

Objective 2: Increase the sense of safety in our public spaces

Objective 3: Earn the trust of more citizens that have experienced persons crime

KELOWNA RCMP
STRATEGIC PLAN 2021-2024

We're working toward these RESULTS

Decrease the risk of property crime

- 9 PM Routine Campaign to help citizens lock up
- Decreased property theft

Show up at our best for every citizen

- Gender and cultural diversity
- Unconscious bias training & Indigenous Cultural Safety
- Sustainable workloads
- Mental wellness training and crisis debrief supports

Increase the sense of safety in public spaces in Downtown & Rutland

- More officer hours
- Fewer street disorder calls
- Reduced response time to calls
- Improved citizen safety

Earn the trust of citizens who have experienced persons crime

- 100% of client-facing officers trained in trauma-informed practice
- 100% of client-facing officers trained in and has adopted 'Start by Believing' Pledge
- Increase in third-party reports
- Increased referrals to community victim services
- Enhanced citizen awareness of reporting options

TOGETHER WE CAN DRIVE CHANGE.



Strategic Enablers are capabilities, capacities, and resources that contribute to the operating effectiveness of an organization.



**Decrease
the risk of
property
crime**

2022 Trends & Police Responses

**Decrease in Persons Crime;
Increase in Robberies**

**Increase in B&E Business, Shoplifting
& Bike Theft**

**Traffic and Proactive Enforcement
shifted to Frontline. Decreased
violation tickets and project work**

**Advocacy on repeat and violent
offender files**

Data-led Proactive Policing

Collaborating with our Partners

Enhanced Strategic Communications

Aligning our resources with mandates

**Recommendations from Butler/LePard
Report**

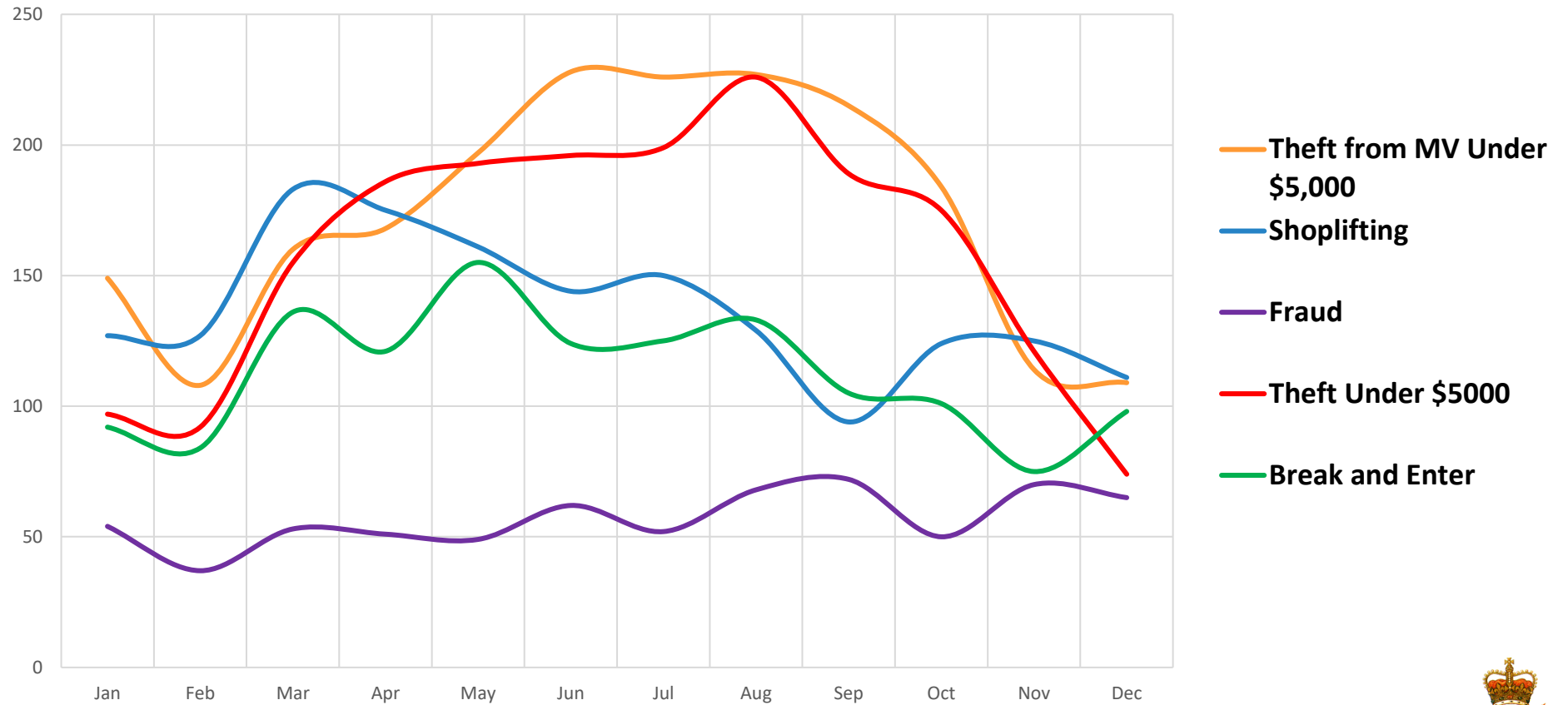




Decrease the risk of property crime

Property Crime Advocacy

Top 5 CSI Drivers - Kelowna - 2022



Shoplifting is up 20%

Break and Enter is up 17%

Theft from Motor Vehicle Under \$5000 is down 14%

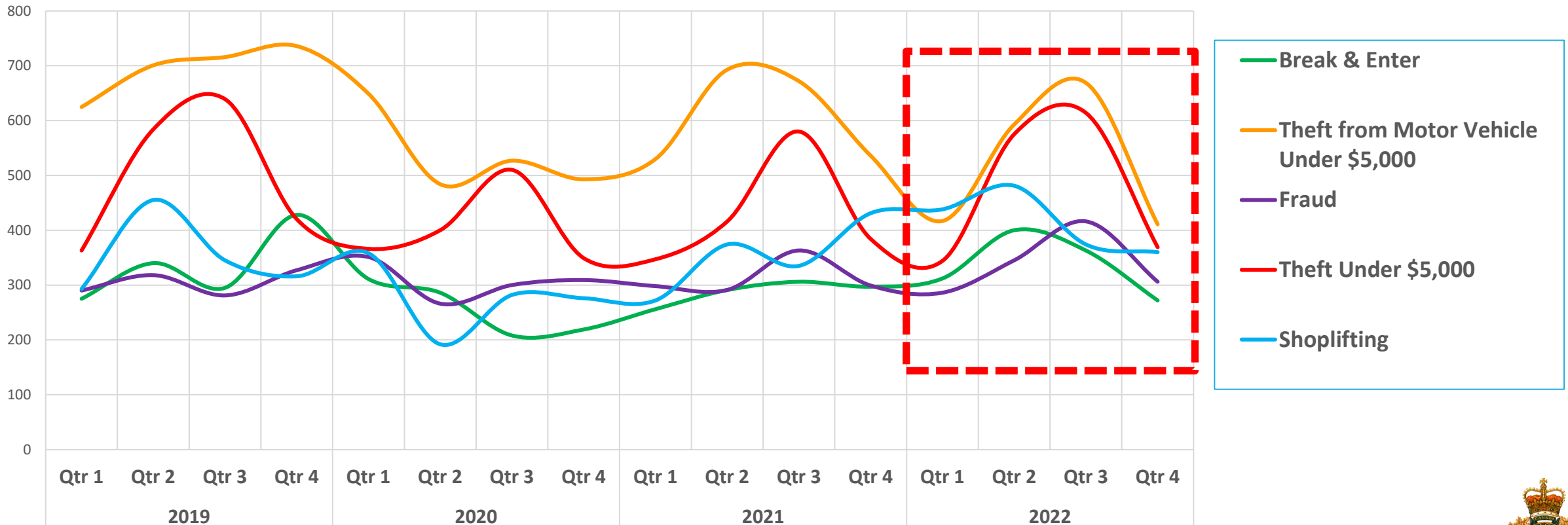




Decrease
the risk of
property
crime

Property Crime Advocacy

Top 5 CSI Drivers by Quarter
Jan 1, 2019 - Dec 31, 2022

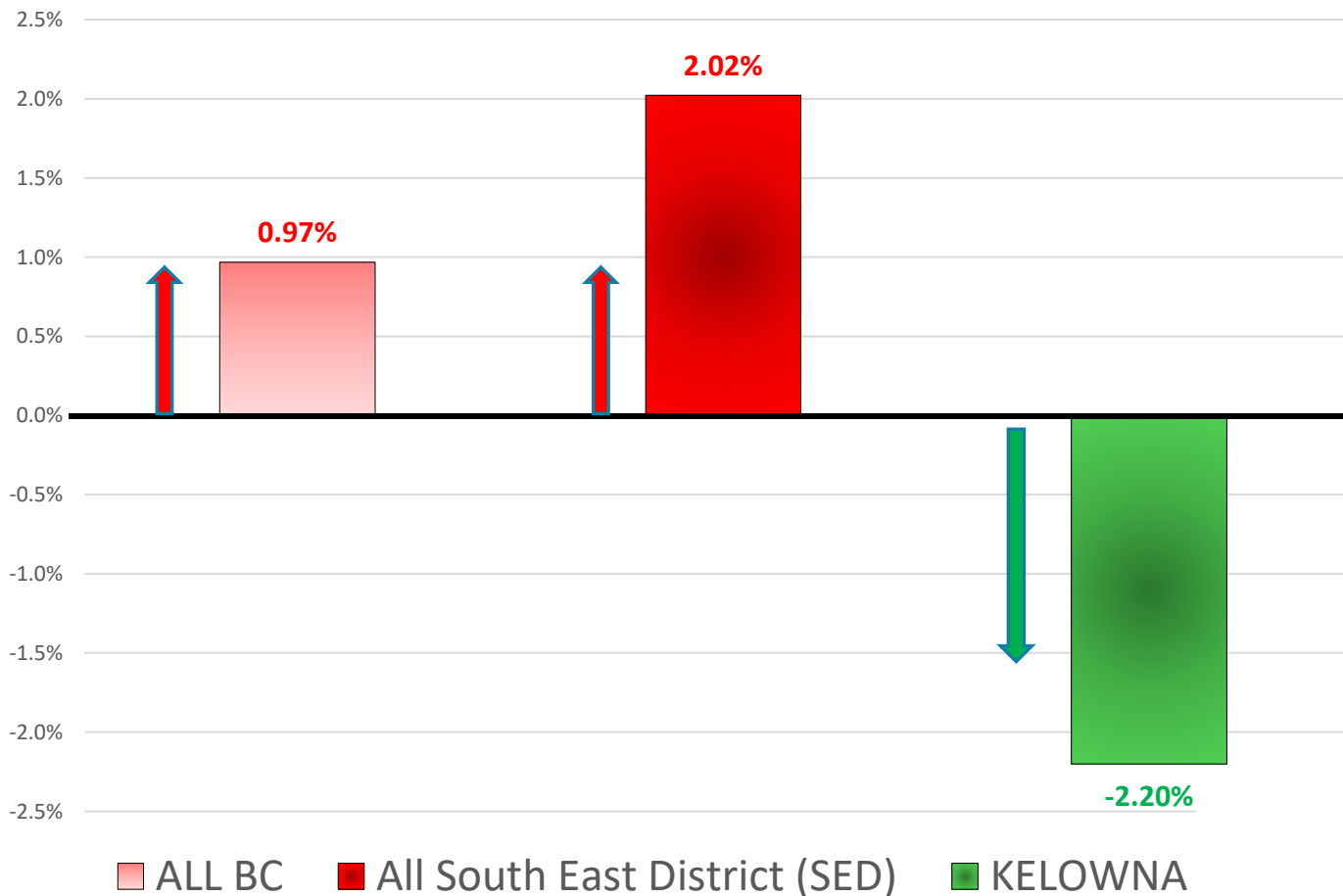




Earn the trust of
citizens who have
experienced
persons crime

Kelowna – Persons Crime

Kelowna observed a
decrease in persons crime in
2022 while the province saw
an **increase**





Increase the
sense of safety in
public spaces in
Downtown &
Rutland

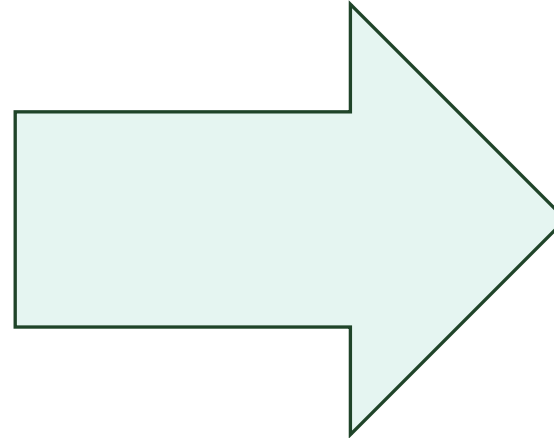
Community Safety Unit (CSU)

Community engagement through
strategic partnerships

Vehicle, foot, and bike patrols help build
community connections

Manage and mitigate social disorder in
public spaces

Youth Officers - prevention, education
and early intervention



2023 Focus

- ✓ Integrated Crisis Response Teams (ICRT) increased to proactively focus on high-risk individuals
- ✓ Divert calls for service to appropriate response agencies
- ✓ Collaborative relationships to improve safety





Increase the sense of safety in public spaces in Downtown & Rutland

Traffic Unit

Collisions decreased despite past pandemic returns to roadways

Prosecution & Police MOU changes to operations with disclosure demands

Crash data reveals opportunities for roadway and intersection improvements

Assigned additional full-time resources to traffic section

Traffic Unit is fully staffed and anticipating increased enforcement in 2023

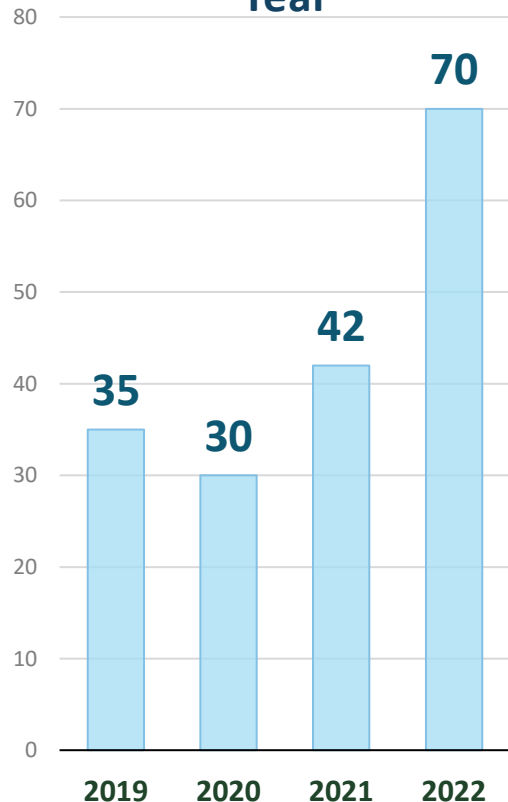




Earn the trust of
citizens who have
experienced
persons crime

Integrated Child Exploitation Unit (ICE)

ICE Files Year over
Year



Possessing and accessing child sexual abuse material is up 21% nationwide

Possessing and accessing child sexual abuse material is up 67% in Kelowna

BC ICE receive National reports and assign cases to local police of jurisdiction

Locally, police work in partnership with child protection, probation, and community services





**Decrease
the risk of
property
crime**

Repeat Offender Advocacy



Investigative report on serial offenders in B.C. calls for more mental health supports



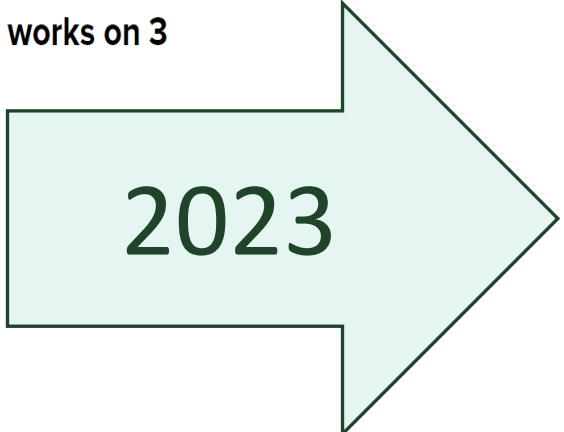
B.C. government releases full prolific offenders report, works on 3 of 28 recommendations



How B.C.'s 'catch and release' system is failing victims of random assaults and repeat offenders



B.C. launches Crown prosecutor hiring drive to help address repeat violent offending



Local Initiatives in Action

- ✓ Repeat Offender Working Group
- ✓ Continue to be advocates for complex care
- ✓ Data led policing
- ✓ BC Association of Chiefs of Police committee on Repeat Offenders





Decrease the risk of property crime



Show up at our best for every citizen



Increase the sense of safety in public spaces in Downtown & Rutland



Earn the trust of citizens who have experienced persons crime

2023 Way Forward



Decrease the risk of property crime

- Divisional lead in “repeat offender” advocacy and methodology development.
- Continued collaboration with BC Prosecution Services, compliance monitoring.
- Repeat & Violent Offender Working Group
- Crime Severity Index reduction, targeted projects

- B.C. Women in Law Enforcement Conference
- International Association of Chief of Police Leadership training
- Leadership Symposium
- Emotional Body Armour Training

Operational Excellence + Leadership

- Child Advocacy Centre National Conference
- Human Trafficking training for BC police and child protection.
- Community Safety Plan: mental health diversion, intimate partner violence prevention.
- Enhancing work with health & social services to eradicate system barriers for persons impacted



Earn the trust of citizens who have experienced persons crime



Show up at our best for every citizen

- Collaborating with Interior Health to deliver upstream interventions
- Special Events Planning
- Summer Resourcing: Boots; Bikes; & Boats



Increase the sense of safety in public spaces in Downtown & Rutland



Questions ?



REPORT TO COUNCIL



Date: February 27th, 2023
To: Council
From: City Manager
Department: Development Planning
Application: A22-0006 **Owner:** Jeffrey Dale Peter Polovick
Address: 4351 Shanks Road **Applicant:** Urban Options Planning Corp.
Subject: Application to the ALC for a Non-Farm Use Application to allow for the sale of landscaping products.
Existing OCP Designation: R-AGR – Rural – Agricultural and Resource
Existing Zone: A1 – Agriculture 1

1.0 Recommendation

THAT Agricultural Land Reserve Application No. A22-0006 for Lot 14 Section 34 Township 23 and Section 3 Township 20 ODYD Plan 500 Except Plan 44031, located at 4351 Shanks Road, Kelowna, BC for a non-farm use application in the Agricultural Land Reserve pursuant to Section 20(2) of the Agricultural Land Commission Act, NOT be supported by Council;

AND THAT Council directs Staff NOT to forward the subject application to the Agricultural Land Commission for consideration.

Purpose

To review a Staff recommendation NOT to support an application to the Agricultural Land Commission to allow for the sale of landscaping products.

2.0 Development Planning

Staff do not support the proposal to allow for the sales of landscaping products on the subject property located within the Agricultural Land Reserve (ALR) as it is inconsistent with the objectives of the Official Community Plan (OCP) and the City's Agricultural Plan. To protect and enhance local agriculture, the policy direction provides support for non-farm use applications only where the proposed use meets the following criteria:

- i. Are consistent with the Zoning Bylaw and the 2040 OCP;
- ii. Provide significant benefits to local agriculture;
- iii. Do not require the extension of municipal services;
- iv. Will not utilize productive agricultural lands;

- v. Will not preclude future use of lands for agriculture; and
- i. Will not harm adjacent farm operations.

The proposed sale of landscaping products that are brought from off-site locations does not meet the intent of the City’s policies, as this is not a permitted agricultural activity. The subject property does have an active agricultural operation including a nursery and greenhouse; however, Staff do not believe the proposal to bring on rocks and other landscaping materials benefits local agriculture and is not necessary for the farm uses on the property. Staff, believe the entire operation should be limited to 150m² in size for a greenhouse and plant nurseries selling non-farm use products, which will meet the Zoning Bylaw use regulation. Overall, the owners have tried to bring the property into compliance and resolve historic site issues, however, the proposal to continue to bring on landscaping products can’t be supported by Staff as it has the potential to degrade arable land and it does not enhance the land base to increase the range of agricultural products that can be grown on the subject property.

3.0 Proposal

3.1 Project Description

This Non-Farm Use Application seeks to bring the existing business into compliance with the Agricultural Land Commission legislation and the City of Kelowna Zoning Bylaw and Business License. The owners of the subject property took possession of the property, existing garden center and nursely business in September 2020 and have begun the process of bringing the property into compliance. They have resolved former soil issues, cleaned up clutter, and built a new greenhouse.

The Non-Farm Use Application is to allow for the owners to continue to sell the existing aggregate and hardscaping products onsite until it has all been removed, as well as to allow for the sale of soil products, soil additives, mulches, and landscaping rocks, which are all brought from offsite locations.

If the application is endorsed by Council and approved by the Agricultural Land Commission, a site-specific Text Amendment Application is required for the operation to conform with the Zoning Bylaw. The Text Amendment Application would be for an increase in the size of the greenhouse and plant nursery sale area selling non-farm products.

3.2 Site Context

The subject property has the Future Land Use Designation of R-AGR – Rural – Agricultural and Resource, is zoned A1 – Agriculture 1 and is in the Agricultural Land Reserve. The surrounding area is primarily A1 zoned properties within the ALR. The property also borders land in the District of Lake Country and OKIB (across Hwy 97).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	District of Lake Country	Agriculture
East	Okanagan Indian Band (IR #7)	Vacant
South	A1 – Agriculture 1	Agriculture
West	A1 – Agriculture 1 / District of Lake Country	Vacant / Agriculture

Subject Property Map: 4351 Shanks Road



4.0 Current Development Policies

Objective 8.1. Protect and preserve agricultural land and its capability	
Policy 8.1.1. Protect Agricultural Land.	<p>Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.</p> <p><i>The application proposes bringing on landscaping materials including mulches and landscape rock. This does not support agricultural activities on the property.</i></p>
Policy 8.1.6. Non-farm Uses.	<p>Restrict non-farm uses that do not directly benefit agriculture except where such non-farm uses are otherwise consistent with the goals, objects, and other policies of this OCP. Support non-farm use applications only where approved by the ALC and where the proposed uses:</p> <ul style="list-style-type: none"> i. Are consistent with the Zoning Bylaw and the 2040 OCP; ii. Provide significant benefits to local agriculture; iii. Do not require the extension of municipal services; iv. Will not utilize productive agricultural lands; v. Will not preclude future use of lands for agriculture; and vi. Will not harm adjacent farm operations. <p><i>Most of the property and operation conform with the OCP and Zoning Bylaw, the inclusion of landscape products brought from off-site does not conform with either.</i></p>

5.0 Application Chronology

Date of Application Received: December 15th, 2022

Agricultural Advisory Committee: N/A

6.0 Alternate Recommendation

THAT Agricultural Land Reserve Application No. A22-0006 for Lot 14 Section 34 Township 23 and Section 3 Township 20 ODYD Plan 500 Except Plan 44031, located at 4351 Shanks Road, Kelowna, BC for a non-farm use application in the Agricultural Land Reserve pursuant to Section 20(2) of the Agricultural Land Commission Act, be supported by Council;

AND THAT Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

Report prepared by: Tyler Caswell, Planner II

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 – ALC Non-Adhering Residential Use Application

Attachment B – Site Plan

Attachment C – Applicant’s Rationale

Attachment D – Ministry of Agriculture Memo



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 67004

Application Status: Under LG Review

Applicant: Jeffrey Polovick

Agent: Urban Options Planning Corp.

Local Government: City of Kelowna

Local Government Date of Receipt: 11/24/2022

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Farm Use

Proposal: The intention is to bring the property into compliance with zoning, ALR and business license requirements through applications to both the City and the Agricultural Land Commission. The purpose is to obtain approval from the ALC under Section 20(3) of the ALC Act for a Non-Farm Use within the ALR to allow 570sq.m. of the 3.98 ha. (9.857ac) farm to sell landscaping products including bagged soil products, soil additives, mulches and landscape rock which will be brought in from off-site. The Kel-Lake Garden Centre Site Development Plan - 4351 Shanks Road forms part of the applications.

The current property owner took possession of the property on September 1, 2020 and has been engaged in the process of developing a garden centre and nursery business and reclaiming the land for agriculture since. No additional retail space is proposed beyond that which currently exists. A Non-Farm Use Application to the ALC and a variance application to the City of Kelowna are required to legitimize operations as part of evolving the agricultural business.

Agent Information

Agent : Urban Options Planning Corp.

Mailing Address :

1470 St. Paul Street, Unit #202

Kelowna, BC

V1Y 2E6

Canada

Primary Phone : (250) 575-6707

Mobile Phone : (250) 462-4959

Email : birte@urbanoptions.ca

Parcel Information

Parcel(s) Under Application

- Ownership Type :** Fee Simple
Parcel Identifier : 012-296-562

ATTACHMENT		A
This forms part of application		
# A22-0006		
Planner Initials	TC	 City of Kelowna <small>DEVELOPMENT PLANNING</small>

Applicant:

Legal Description : LOT 14 SECTION 34 TOWNSHIP 23 AND SECTION 3 TOWNSHIP 20
OSOYOOS DIVISION YALE DISTRICT PLAN 500 EXCEPT PLAN 44031

Parcel Area : 3.9 ha

Civic Address : 4351 Shanks Road, Kelowna BC V1W 1M3

Date of Purchase : 09/01/2020

Farm Classification : Yes

Owners

1. **Name :**

Address :

4351 Shanks Road

Kelowna, BC

V1V 1M3

Canada

Phone :

Email :

ATTACHMENT A	
This forms part of application # A22-0006	
Planner Initials	TC
 City of Kelowna DEVELOPMENT PLANNING	

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type :** Fee Simple

Parcel Identifier : 012-296-473

Owner with Parcel Interest :

Parcel Area : 3.97 ha

Land Use Type : Agricultural/Farm

Interest Type : Full Ownership

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

See Kel-Lake Garden Centre Site Development Plan for additional detail, especially Site Context; Site Conditions & Facilities; Table 1: Summary of Site Development as of October 2022 and Figure 5: Existing Site Conditions Graphic.

Residential buildings and landscaping near Shanks Road; Garden Centre and nursery greenhouses in the central area including an aggregate and bagged soil amendment sales area and soils mixing for on-site use only to the rear of the greenhouses; planting areas between greenhouses and Highway 97 under development.

Residential: Approximately 19%

Greenhouses & Garden Centre Operations: 38%

Agriculture (under development): 43%

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

See Site Development History in the Kel-Lake Garden Centre Site Development Plan for additional information (pages 15-21).

Fall 2020:

- Since purchasing the property on September 1, 2020, the applicant has worked with City of Kelowna staff and ALC Bylaw Enforcement Officer, Dave Birchmore to bring the uses on the property into compliance with

Applicant:

all applicable regulations. Previous soils issues have been resolved. It is understood that hardscape products remaining from the previous owner will continue to be removed as they are able to be sold and they will not be replaced. Kel-Lake Garden Centre operations no longer include any soil processing activities beyond those for the immediate use in the greenhouses and agricultural activities conducted on-site. The business will focus on nursery, plants and complimentary sales of begged products and pots.

- Agricultural improvements are ongoing on the subject property to take advantage of the property's capabilities. Both greenhouse operations (non-soil bound) and open-field soil bound production form part of the short-term plans for operations. Products available on-site currently include garden accessories & supplies; indoor & outdoor plans; landscaping materials; seasonal items and trees & shrubs.

- New fence and gate installed along the north property boundary adjacent to limit uninvited access/trespass onto the property from Highway 97

- Eastern half of the property contoured to remediate historical soil-making activity

- Aggregate bins relocated and improved to reduce footprint and make additional area available for future farming

- Built a new 2,500sqft (25ft x 100ft) greenhouse for growing vegetables

- Planted numerous trees around the property

- Power poll installed at Highway 97 gated access to provide 200-amp electrical service for future farm use

- Ongoing cleanup of junk material left on the property by the previous owner

2021:

- Additional landscaping completed to further enhance the natural aspects of the property

- Ongoing cleanup of junk material on the property

2022:

- Aggregate sales area reconfigured to reduce footprint of the retail sales activities, improve function and create a buffer between the operations and the orchard to the north

- Bulk sales of soil from the corral area to the rear of the greenhouses have been eliminated; only bagged soil products will be available from pallets arranged along the greenhouse adjacent to the parking area.

- Former Contractor sales area adjacent to Highway 97 decommissioned as shown in Photo 5 of the Site Development Plan.

- Contractor completed weed cutting on the lower part of the property

- Additional work is underway in Fall 2022 to reshape the land in preparation for farming. Improvements to the former access to Highway 97 are expected to reduce slope and drainage issues.

- The slope from the rear of the greenhouses to the Highway 97 frontage has been tilled and will be planted to a cover crop such as rye with the goal of improving soil quality and restoring nutrients to the soil.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

See Table 1: Summary of Site Development as of October 2022, Kel-Lake Garden Centre Site Development Plan - 4351 Shanks Road for detailed information.

Building or Use: Dimensions from Survey; Area (square meters)

Garage: 6.8m x 17.7 + 1.3m x 1.3m; 150.27sq.m.

Shed: 7.5m x 11.1m; 83.25sq.m.

Cellar: ~6m x 3m; 18.00sq.m.

Poly Shed: 7.4m x 11.1m; 82.14sq.m.


House: ~9.7m x 12.2m + 17m x 14.5 x 14.5m + 25.5m x 18.7m; 841.69sq.m.

Greenhouse 1: 30.9m x 7.6m; 234.84sq.m.

Greenhouse 2: 30.6m x 9.4m; 287.64sq.m.

Greenhouse 3: 30.5m x 9.4m; 286.70sq.m.

Applicant:

ATTACHMENT		A
This forms part of application # A22-0006		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

Greenhouse 4: 32.2m x 33m + 15.5m x 25.7m + 7.3m x 8.4m; 1522.27sq.m.
 Greenhouse 5: 29.3m x 13.4m; 392.62sq.m.
 Gazebo: 13.0m x 9.4m; 122.20sq.m.
 Office - Retail: 182.28sq.m.
 Total Buildings: 4,203.90sq.m.

Site Area: 39,889.86m² (3.98 ha or 9.857ac)
 Building Site Coverage: 10.5%

Soils Corral: 12.9m x 28m (On-site operations only); 361.20sq.m.
 Aggregate Corral: 5.4m x 55.6m (Available for sale); 300.24sq.m.
 Bagged Product: Sales 26m x 3.4m (Bags stored on pallets next to greenhouse); 88.4sq.m.
 Office - Retail (Existing building); 182.28sq.m.
 Total Retail Area: Aggregate/Bagged Product & General Retail; 570.92sq.m.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity : Orchard

East

Land Use Type: Transportation/Utilities
Specify Activity : Highway 97 & OKIB

South

Land Use Type: Agricultural/Farm
Specify Activity : Orchard

West

Land Use Type: Unused
Specify Activity : Undeveloped; slopes significantly up to the west

Proposal

1. How many hectares are proposed for non-farm use?

0.06 ha

2. What is the purpose of the proposal?

The intention is to bring the property into compliance with zoning, ALR and business license requirements through applications to both the City and the Agricultural Land Commission. The purpose is to obtain approval from the ALC under Section 20(3) of the ALC Act for a Non-Farm Use within the ALR to allow 570sq.m. of the 3.98 ha. (9.857ac) farm to sell landscaping products including bagged soil products, soil additives, mulches and landscape rock which will be brought in from off-site. The Kel-Lake Garden Centre Site Development Plan - 4351 Shanks Road forms part of the applications.

The current property owner took possession of the property on September 1, 2020 and has been engaged in the process of developing a garden centre and nursery business and reclaiming the land for agriculture since. No additional retail space is proposed beyond that which currently exists. A Non-Farm Use Application to the ALC and a variance application to the City of Kelowna are required to legitimize operations as part of evolving the agricultural business.

3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.

No, this proposal cannot be accommodated on lands outside of the ALR as the proposed use is consistent with both Official Community Plan and Zoning Bylaw regulations for this type of use. The operation of the nursery and greenhouses is also consistent with the goals and objectives of the City of Kelowna's Agricultural Plan. Areas appropriate for these uses are generally also designated as ALR.

4. Does the proposal support agriculture in the short or long term? Please explain.

Yes, the proposal supports agriculture in both the short and long term. The operation of the nursery and greenhouses is consistent with the goals and objectives of the City of Kelowna's Agricultural Plan. The property owner has committed to a plan to further develop the agricultural capability of the land through a staged development process. Site development will minimize land use conflicts with surrounding agricultural operations. The proposed activities are either agricultural or directly benefit agriculture, especially urban agriculture in the surrounding area. These plans do not increase the existing residential footprint. As such, the proposal is consistent with Agricultural Plan Objective 5.33 to protect and enhance local agriculture.

The property is located in area of good agricultural capability and owners plans value these conditions; the intention is to increase production over time. Site development continues to respect adjacent agricultural operations including buffering the adjacent orchard from the retail sales uses by careful design. The size and siting of operations minimize the impact on adjacent properties. The aggregate sales corrals have been relocated to make better use of the site in a previously disturbed area along the northern property line conveniently providing a buffer between the parking and operations area and the adjacent orchard.

5. Do you need to import any fill to construct or conduct the proposed Non-farm use?

No


Applicant Attachments

- Agent Agreement - Urban Options Planning Corp.
- Proposal Sketch - 67004
- Professional Report - Kel-Lake Garden Centre Site Development Plan
- Other correspondence or file information - Subject Property Map with Contours
- Other correspondence or file information - Orthophoto Map
- Other correspondence or file information - Site Survey Plan
- Site Photo - Inside Greenhouse
- Site Photo - Inside Greenhouse 2
- Certificate of Title - 012-296-562

ALC Attachments

None.

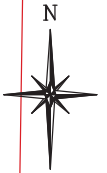
Applicant: .

ATTACHMENT A	
This forms part of application # A22-0006	
Planner Initials	TC
 City of Kelowna DEVELOPMENT PLANNING	

ATTACHMENT B

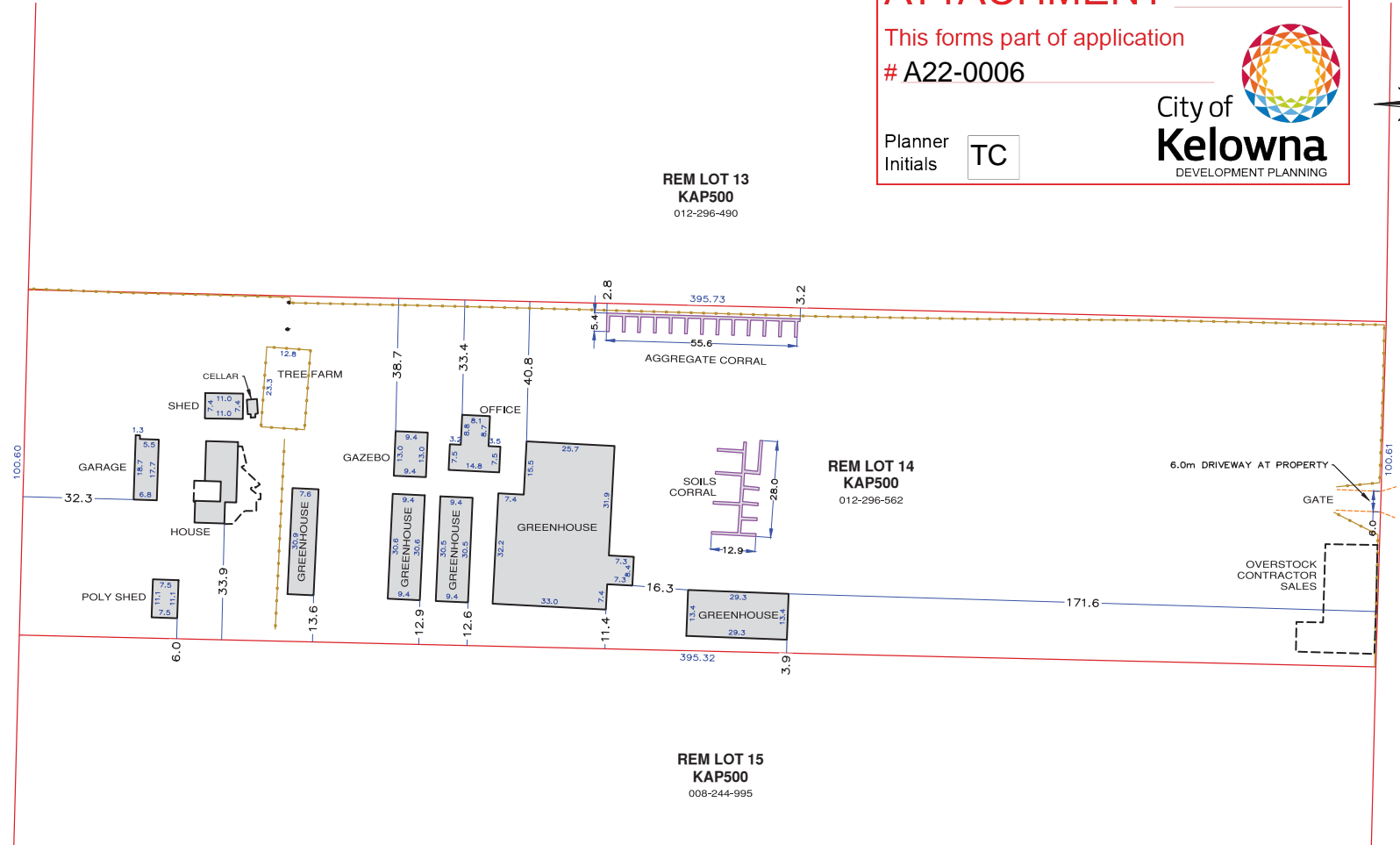
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A22-0006

Planner Initials **TC**



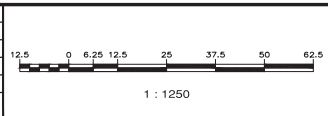
Shanks Road

Highway 97



LEGEND	
CABLE TV	CATCH BASIN
GAS	HYDRANT
SEWER	WATER VALVE
STORM SEWER	LAMP STANDARD
U.S. ELECTRICAL	
U.S. TELEPHONE	
MANHOLE	
POWER POLE	
CURB STOP - WATER SHUT OFF	
SANITARY INSPECTION CHAMBER	

No.	DATE	BY	REVISION	CHK'd
03	08/27/21	BMC	SHOWING HIGHWAY ACCESS	
02	12/04/20	BMC	MORE DIMENSIONS	
01	12/03/20	BMC	ADDITIONAL FEATURES ADDED	
00	10/21/20	BMC	ISSUED TO CLIENT	



LEGAL:
LOT 14, SECTION 34, TOWNSHIP 23 &
SECTION 3, TOWNSHIP 20, O.D.Y.D.,
PLAN 500 EXCEPT PLAN 44031.
PID NO. 012-296-562

DRAWN	BMC
JOB NO.	20-289
FILE	20-289C3D
DATE	OCT 2020
SCALE	1:1250

ADVANCED SURVEYING LTD. TEL 250.765.4600
3396 SEDSMITH ROAD, KELOWNA
bret@advancedsurveying.ca

**4351 SHANKS ROAD
LAKE COUNTRY BC
SITE PLAN**

DRAWING NO.	20289-01
REV. NO.	03

4351 Shanks Road

SITE DEVELOPMENT PLAN

In support of Non-Farm Use Application

October 2022



GARDEN ACCESSORIES & SUPPLIES



INDOOR & OUTDOOR PLANTS



LANDSCAPE MATERIALS



SEASONAL



TREES & SHRUBS

ATTACHMENT C

This forms part of application
A22-0006



City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials TC

SITE DEVELOPMENT PLAN

In support of Non-Farm Use Application
4351 Shanks Road, Kelowna, BC

2020-2024

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ATTACHMENT		C
This forms part of application		
# A22-0006		
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EXECUTIVE SUMMARY

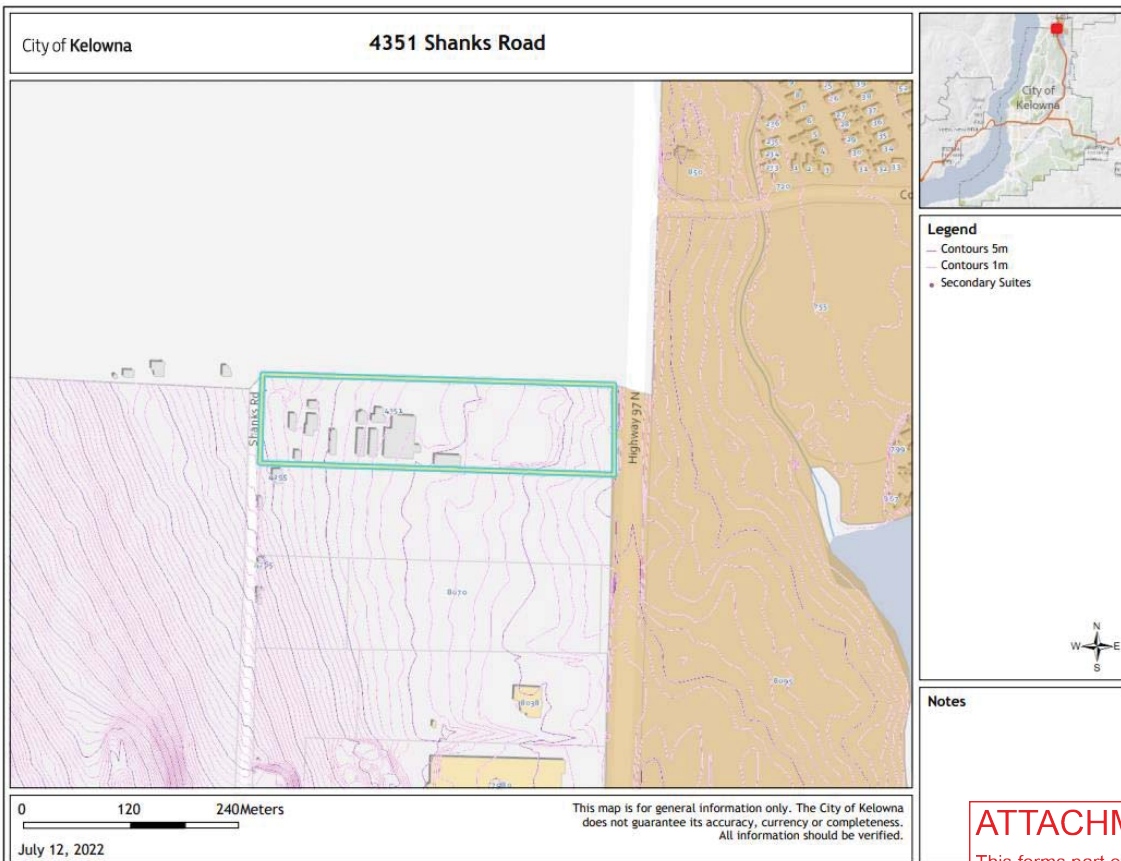
The purpose of this Plan is to outline how agriculture is expected to evolve on the subject property from property purchase in 2020 to 2025. The plan will also demonstrate how the proposed development responds to the purposes of the Agricultural Land Commission under s. 6 of the *Agricultural Land Commission Act (ALC Act)* and describe how the agricultural business will continue to achieve objectives that are consistent with ALC objectives for agricultural land protection and development. The plan may also be utilized as a tool to gauge how well the farm is doing in the future compared to the initial goals and to keep progress on target.

SITE CONTEXT

Location

The subject property is located on the east side of Shanks Road, at the northern extent of the City of Kelowna. Property to the north is located in the District of Lake Country and land to the east across Highway 97 is located in the OKIB First Nation Reserve (IR#7). The City of Kelowna OCP and zoning designations reflect the fact that the land is located within the Provincial Agricultural Land Reserve (ALR). The neighbourhood is generally comprised of agricultural operations on similarly sized lots, with the exception of the undeveloped land to the west of Shanks Road which slopes up significantly to the west. The intention is to bring the property into compliance with zoning, ALR and business license requirements through applications to both the City and the Agricultural Land Commission as may be necessary. This Site Development Plan will form part of those applications.

Figure 1: Location & Contour Map



ATTACHMENT C

This forms part of application
A22-0006

Planner Initials **TC**



City of Kelowna
DEVELOPMENT PLANNING

Figure 2: Location Map with Orthophoto

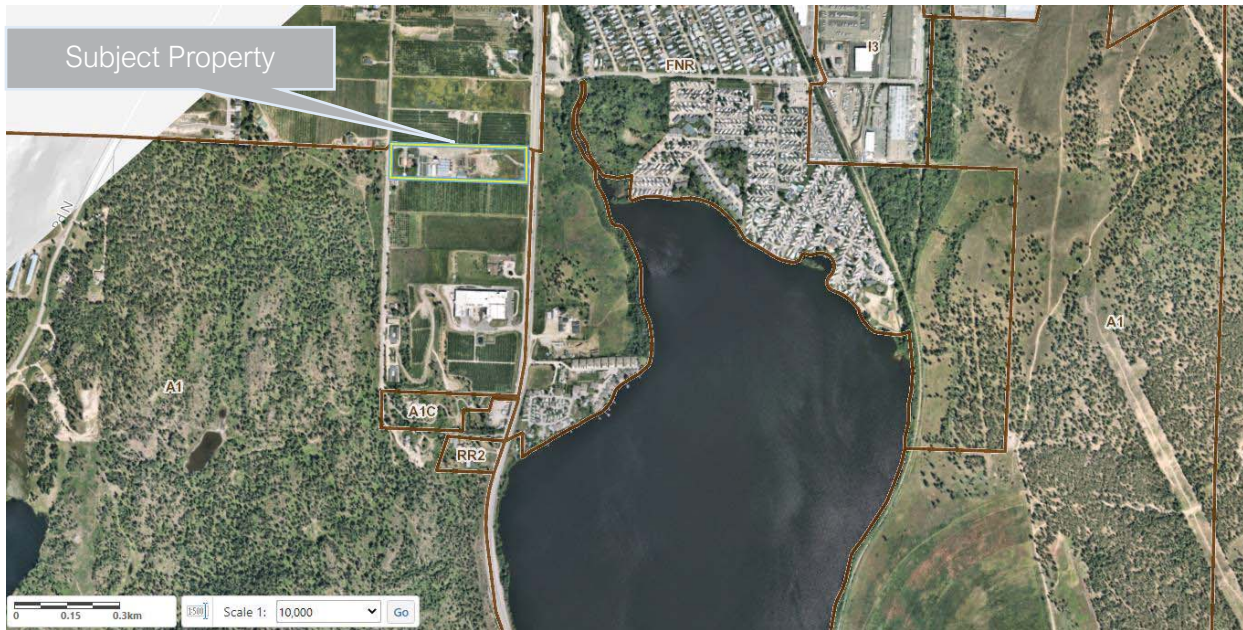
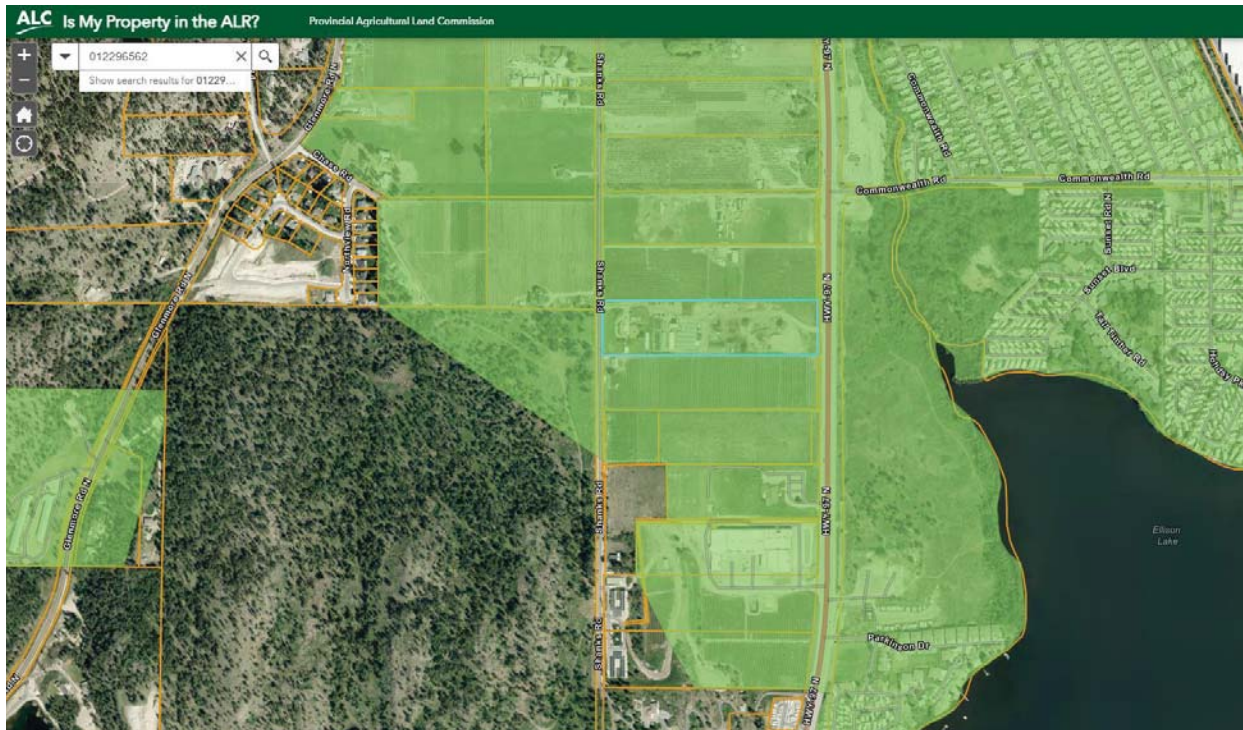


Figure 3: ALR Map



SITE CONDITIONS & FACILITIES

The current property owners took possession of the property on September 1, 2020 and have been engaged in the process of developing a garden centre and nursery business and reclaiming the land for agriculture since. No additional retail space is proposed beyond that which currently exists. It is anticipated that planned activities will not trigger a need for a Development Permit application but a Non-Farm Use Application to the ALC and a variance application to the City of Kelowna are required to legitimize operations as part of evolving the agricultural business.

Figure 4: Existing Site Conditions Orthophoto - August 17, 2022



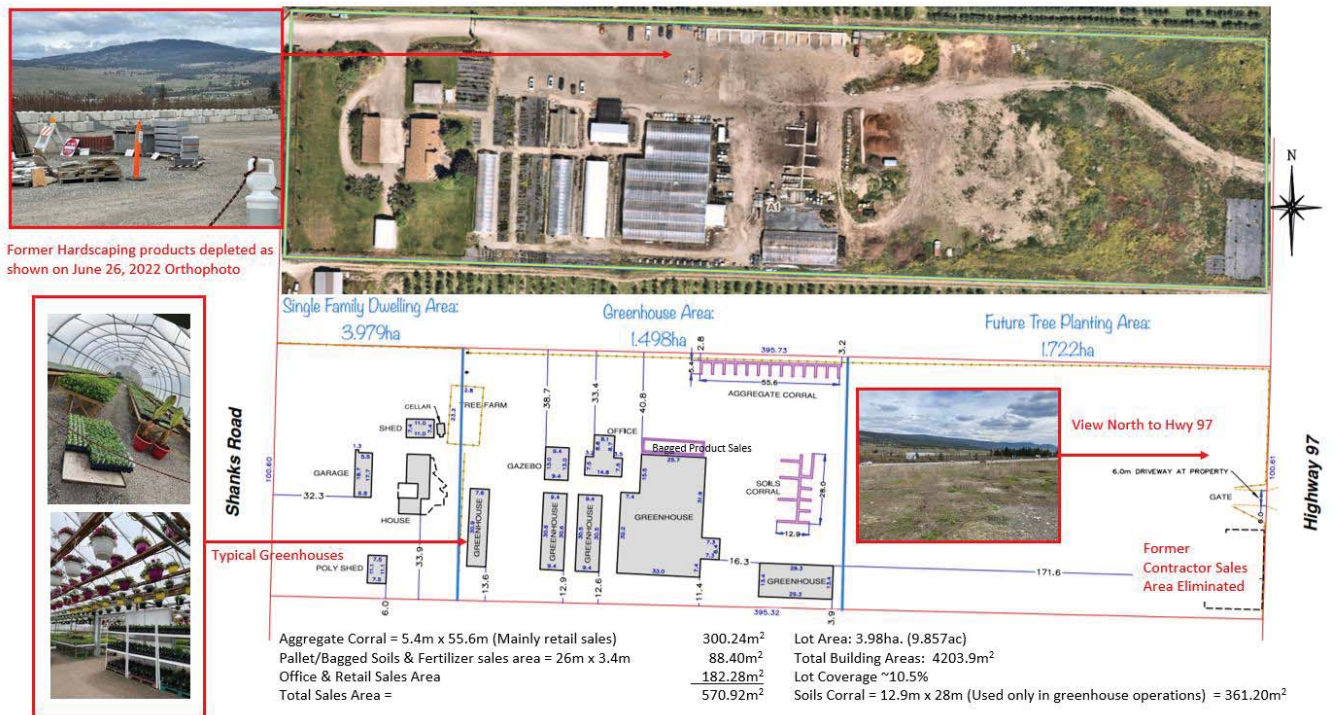
Buildings:	Single-family dwelling, accessory buildings and greenhouses
Site Improvements:	Residential buildings and landscaping near Shanks Road; Garden Centre and nursery greenhouses in the central area including an aggregate and bagged soil amendment sales area and soils mixing for on-site use only to the rear of the greenhouses; planting areas between greenhouses and Highway 97 under development
Property Area:	3.98 ha (9.857ac)
Lot Dimensions:	Shanks Road frontage: 100.6m Lot depth: 395.32m
Topography:	Relatively flat, sloping up from Highway 97 to Shanks Road
Elevation:	435 to 455m above sea level

Table 1: Summary of Site Development as of October 2022

Building or Use	Dimensions from Survey	Area (m ²)
Garage	6.8m x 17.7 + 1.3m x 1.3m	150.27
Shed	7.5m x 11.1m	83.25
Cellar	~6m x 3m	18.00
Poly Shed	7.4m x 11.1m	82.14
House	~9.7m x 12.2m + 17m x 14.5 x 14.5m + 25.5m x 18.7m	841.69
Greenhouse 1	30.9m x 7.6m	234.84
Greenhouse 2	30.6m x 9.4m	287.64

Greenhouse 3	30.5m x 9.4m	286.70
Greenhouse 4	32.2m x 33m + 15.5m x 25.7m + 7.3m x 8.4m	1522.27
Greenhouse 5	29.3m x 13.4m	392.62
Gazebo	13.0m x 9.4m	122.20
Office - Retail		182.28
Total Buildings:		4,203.90m ²
Site Area:	39,889.86m ² (3.98 ha or 9.857ac)	
Building Site Coverage:		10.5%
Soils Corral	12.9m x 28m (On-site operations only)	361.20m ²
Aggregate Corral	5.4m x 55.6m (Available for sale)	300.24m ²
Bagged Product Sales	26m x 3.4m (Bags stored on pallets next to greenhouse)	88.4m ²
Office - Retail	Existing building	182.28m ²
Total Retail Area:	Aggregate/Bagged Product & General Retail	570.92m ²

Figure 5: Existing Site Conditions Graphic



Photo(s) 1: Looking south through the potted plants between Greenhouses 1 & 2



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LAND CAPABILITY INFORMATION

Soil Survey

Figure 6: BC Soil Information Finder Tool Map, Soil Survey Polygon Information

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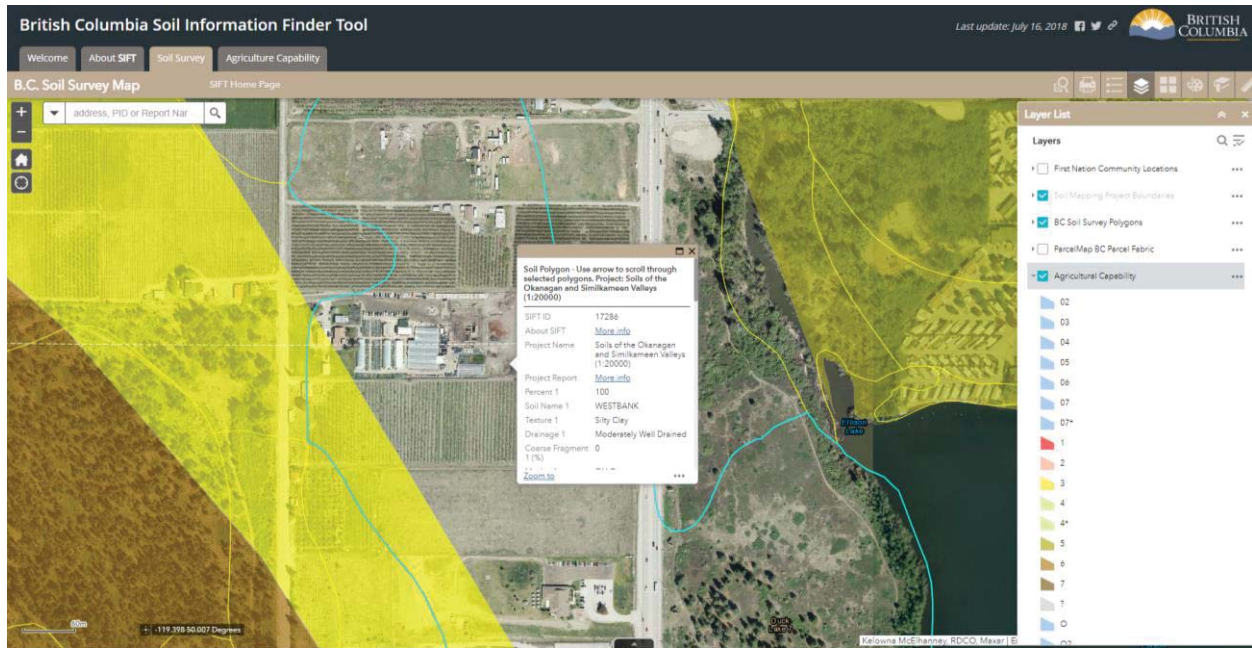


Figure 7: BC Soil Information Finder Tool Map, Soil Survey Polygon Information

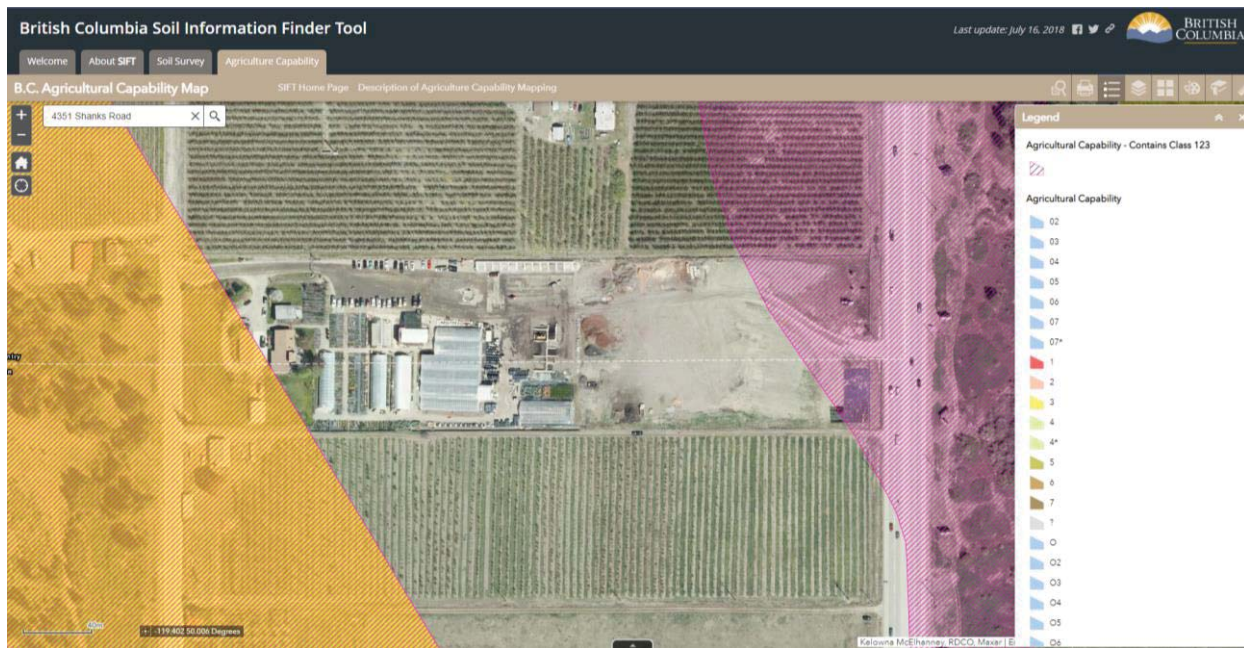


According to British Columbia Soil Information Finder Tool Soil Survey the predominant soil types on site are Westbank (Polygon 17286) and Glenmore (Polygon 17289) adjacent to Highway 97. BC Ministry of Environment Technical Report 18, Soils of the Okanagan and Similkameen Valleys, Report No. 52, British Columbia Soil Survey, describes “Westbank” and “Glenmore” soils as: “fine to moderately fine textured glaciolacustrine deposits” with “surface and subsurface textures of silty clay loam, clay loam or clay (Westbank) and silty clay loam (Glenmore)”; moderately well-drained,

slowly pervious; have high water holding capacity; and moderate surface runoff. Glenmore soils are moderately well suited for most agricultural crops as they are stone-free and relatively fertile. Westbank soils are “moderately suited for agricultural crops although dense, clay subsoils inhibit root growth and water movement” and “may be limited by low bearing strengths and subsoil salinity”.

Agricultural Capability

Figure 8: BC Soil Finder Information Finder Tool Map, Agricultural Capability Polygon Information



According to the tool, agricultural capability on the subject property is “3TM” adjacent to Shanks Road and “3TAD” adjacent to Highway 97. No rating is available for the central portion of the property. However, Class 3 soils in general are characterized by moderately severe limitations restricting the range of viable crops, or requiring special conservation practices to be employed.

CITY OF KELOWNA PLANNING REGULATIONS & FACTS:

2040 Future Land Use: R-AGR (Agricultural and Resource)
 Zoning Designation: A1 - Agriculture the purpose of which is to provide a zone for Agricultural Land Reserve parcels that permit agricultural uses and other complementary uses suitable in an agricultural setting.

Relevant Permitted Uses


Principal: Agriculture; Greenhouses and Plant Nurseries (may include the accessory sale of landscaping and gardening non-farm products provided that the accessory use is limited to 150m² on the lot); Single Detached Housing

Secondary: Accessory Buildings or Structures; Farm Retail Sales Stands (maximum area of 300m² with 50% produced on-site); On-Farm processing

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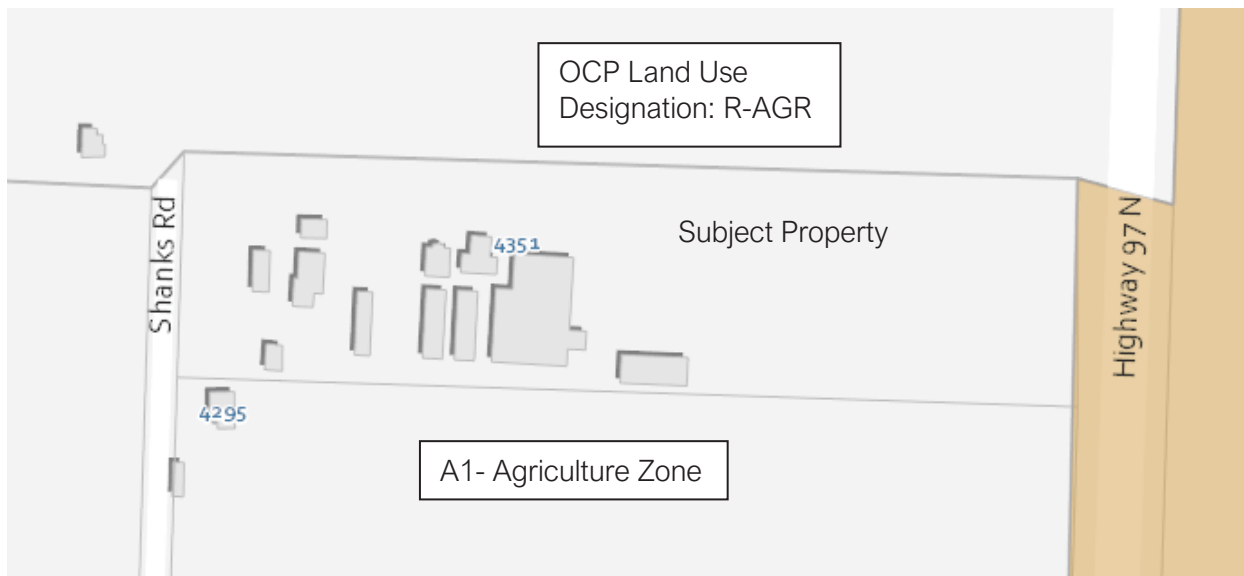
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 DEVELOPMENT PLANNING

Maximum Site Coverage: 35% (Including buildings, structures and impermeable surfaces)
 Maximum Residential Footprint for lots greater than 8,000m² is 2,000m² (Estimated at 1,860m²)
 Sewer Connection: No
 Water Service: District of Lake Country
 Development Permit Areas: Hazardous Condition (Note: No hazard clearly apparent on the subject property); Sand and Gravel; Wildland Fire Hazard
 Landscaping Regulations: Properties zoned A1 must meet landscaping standards as outlined in the Farm Protection DP Guidelines as outlined in the Official Community Plan.

Figure 9: Subject Property Map showing 2040 Future Land Use & Zoning Designations



Neighbourhood Context:

	OCP Designation	Zoning Designation
North	Lake Country - Agriculture	Lake Country -
South	Agricultural and Resource	A1 - Agriculture
East	OKIB	OKIB
West	Agricultural and Resource	A1 - Agriculture

Official Community Plan (OCP) 2040

Under the 2040 OCP, adopted January 10, 2022, the subject property is designated “Agriculture and Resource”. Operation of the nursery and greenhouses is an agricultural use compatible with adjacent agricultural uses that also supports the local food system by making plants and gardening materials readily available to area residents. The continued expansion of the area devoted to tree planting is also consistent with the stated objectives for economic sustainability.

Official Community Plan Development Permit Layers

No additional retail space is proposed. It is anticipated that tree planting will not trigger a Development Permit application.

City of Kelowna Agricultural Plan

The operation of the nursery and greenhouses is consistent with the goals and objectives of the City of Kelowna’s Agricultural Plan. The property owner has committed to a plan to further develop the agricultural capability of the land through a staged development process. Site development will minimize land use conflicts with surrounding agricultural operations. The proposed activities are either agricultural or directly benefit agriculture, especially urban agriculture in the surrounding area. These plans do not increase the existing “residential footprint”. As such, the proposal is consistent with Objective 5.33 to protect and enhance local agriculture.

Zoning Bylaw

The A1 – Agriculture zoning provides the rules, regulations, and uses permitted on the land. This zone (s. 10.3 Permitted Land Uses Table) allows for Greenhouses and Plant Nurseries which may include the accessory sale of landscaping and gardening non-farm products provided that the accessory use is limited to 150m² on the lot (Footnote 4). The existing Aggregate Corral has an area of approximately 300m². The Soils Corral is approximately 360m² in size; however, it will be used for on-site operations only. Bagged soil products will be available from the retail sales area located along the parking lot edge of the greenhouse where it is stored on pallets. Either the area devoted to aggregate product sales must be reduced to meet the 150m² maximum or a Development Variance Permit to the City to vary the maximum will be required to achieve compliance.

Relevant Zoning Bylaw Use Definitions:


AGRICULTURAL STRUCTURES are those buildings or structures used for agriculture or agriculture, intensive. Section 10.3 Permitted Land Uses for agricultural and rural residential zones outlines different agricultural related land uses and Section 10.5 – A1 Agricultural and Development Regulations outlines various setbacks, heights, site coverage, and gross floor area limits for agricultural structures and various agricultural related structures.

AGRICULTURE means development or use of land for the growing of crops or the production of farm products. Parcels within the ALR shall be inclusive of any farm use as identified by the ALC.

FARM RETAIL SALES STANDS means those accessory buildings and structures for retailing agricultural products on a farm.

GREENHOUSE means a structure covered with translucent material, used for the purpose of growing plants, and is of sufficient size for persons to work within the structure.

GREENHOUSES AND PLANT NURSERIES means development used primarily for the cultivation and storage of produce, bedding, household and ornamental plants, trees, bushes, sod and related materials. This use does not include landscaping, excavating or soil processing businesses or operations.

ATTACHMENT		C
This forms part of application # A22-0006		
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ON-FARM PROCESSING means the undertaking of processes, including grading, packing, mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments, and biological treatments on a farm unit to:

- (a) prepare value added products from farm products to sell,
- (b) prepare feed for livestock, poultry, farmed game, located on the farm, or
- (c) process and slaughter animals.

But excludes on-farm cannabis processing, on-farm composting, on-farm soil preparation, and on-farm soilless medium production.

Zoning Bylaw Parking Requirements

Table 8.3.3 Agriculture		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Greenhouses and Plant Nurseries	6.7 spaces per 100 m ² GFA of retail sales	n/a
Farm Retail Sales	5.0 spaces per 100 m ² GFA, minimum 4	n/a

Table 8.3.1a Other Residential Parking			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ¹
	Minimum	Maximum	
Agriculture & Rural Zones and Single Family Zones	2.0 spaces per dwelling unit	n/a	0.0 spaces or Min 0.14 spaces & Max 0.2 spaces per dwelling unit ³

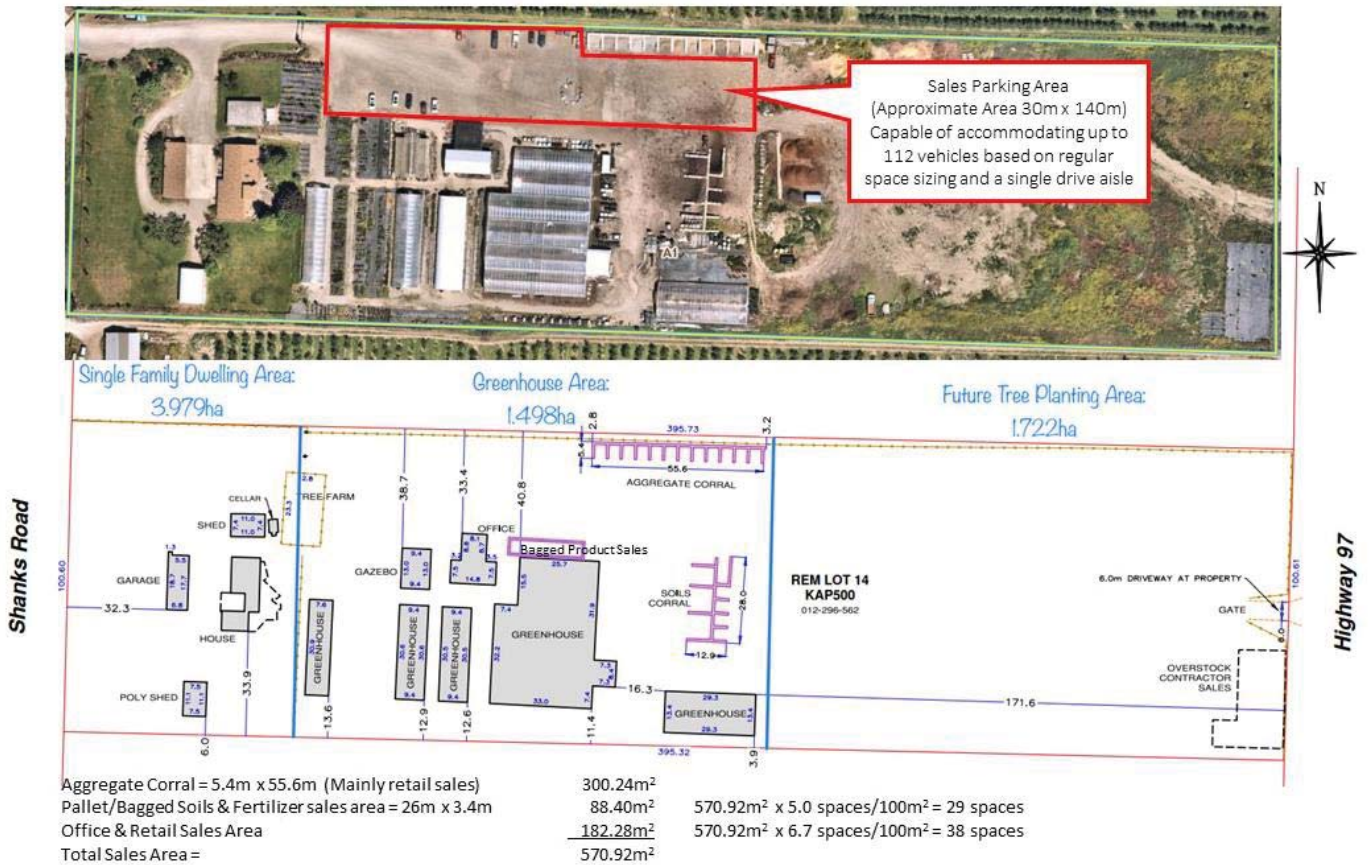
Note: While asphalt is not required, the parking area should consist of a dust-free surface (chemically treated or washed gravel having a minimum particle size of 100% 2.5ml gradation).

The existing 570.92m² retail sales area results in a parking requirement of 29 spaces based on the Farm Retail Sales use or 38 parking spaces based on the Greenhouses and Plant Nurseries use. The large open gravel parking area accessed from Shanks Road provides adequate parking to serve the business as shown in the photographs below and as estimated in Figure 10. The existing gravel parking area is large enough to accommodate a number of parking layouts using regular parking space and drive aisle sizes as prescribed in the Zoning Bylaw. It appears that, based on regular size parking spaces with a single drive aisle up, to 56 vehicles could be accommodated along the length of the approximately 4200m² (30m x 140m) parking area from the rear of the entrance feature to the back of the soils mixing area, resulting in the ability to accommodate over 112 vehicles on site at a minimum. There is also ample space available to accommodate all loading functions within this informal parking area. As uses transition on the property it is anticipated that use and configuration of the parking area will also transition to suit the current needs of the operation.

Photo(s) 2: Access driveway and parking area from east to west



Figure 10: Parking Sketch



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A22-0006

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AGRICULTURAL LAND RESERVE ACT & REGULATIONS

Pursuant to ALC Policy L-02:

The Use Regulation designates, as farm use, farm retail sales in the ALR if the conditions of section 11(3) are met. Section 11(3) states:

The use of agricultural land for conducting farm retail sales is designated as a farm use and may not be prohibited as described in section 4 if

(a) all of the farm product offered for sale are produced on that agricultural land, or

(b) the area used for all retail sales meets both of the following conditions:

(i) the total area, both indoors and outdoors, does not exceed 300 m²;

(ii) at least 50% of that area is limited to the sale of farm products produced either on that agricultural land or by an association to which the owner of the agricultural land belongs.

Agricultural Land Commission Policy L-02 provides additional guidance with respect to “Activities Designated as Farm Use and Farm Retail Sales in the ALR”. If all products originate or are produced on the farm on which the sales are taking place, there is no limitation for the retail sales area (the floor area or dedicated outside area on which the farm retail sales are taking place and includes areas used for retail purposes inside buildings and areas outside buildings). However, where products not originating from the farm are also sold (such as the aggregates that originate from off-site) at least 50% of the retail sales area must be used for the sale of farm product produced on that farm and that area must not exceed 300m². The existing Aggregate Corral has an area of approximately 300m². While it does not exceed the 1,000m² threshold of s. 35 of the Use Regulation requiring a Notice of Intent or a ALC permit for soil placement or removal, it does exceed the retail sales area limitation.

Subject to the placement of fill thresholds, the use of agricultural land to construct, maintain or operate a structure, other than a residential structure, that is necessary for a farm use and a driveway or utility that is necessary for that farm use, is permitted as per section 5(1) of the Use Regulation. Therefore, the area devoted to parking, driveways, washrooms or areas for processing or farm product storage are not counted in the 300m². Similarly, according to the ALC definition of “retail sales area” the portion of the office building used for retail sales does not have to be included in the calculation of the 300m² area. It is understood that none of the greenhouse area needs to be included in the retail sales area calculation. While it may be possible to delineate a specific and smaller retail areas in order to meet the ALC regulations and bring the business into compliance the operator has indicated a desire to continue using current sales areas (aggregate and bagged product sales). To ensure transparency, the internal sales area in the “office” has been included in the application to ensure that it is clear that the space is being used for that purpose.

This Site Development Plan forms part of a Non-Farm Use application to legitimize the existing operations as estimated from the June 2022 orthophotography and confirmed on site visit. The purpose is to obtain approval from the ALC under Section 20(3) of the ALC Act for a ‘Non-Farm

Use' within the ALR to allow 570m² of the 3.98 ha. (9.857ac) farm to sell landscaping products including bagged soil products, soil additives, mulches and landscape rock which will be brought in from off-site.

SITE DEVELOPMENT HISTORY

2019

Figure 11: 2019 Aerial Photo



Fall 2020

- ✓ The current owner took possession of the subject property on September 1, 2020. Redevelopment of the site was commenced shortly thereafter. The site continues to evolve and the blueprint for that evolution has now been defined.
- ✓ Since purchasing the property on September 1, 2020, the applicant has worked with City of Kelowna staff and ALC Bylaw Enforcement Officer, Dave Birchmore, to bring the uses on the property into compliance with all applicable regulations. Previous soils issues have been resolved. It is understood that hardscape products remaining from the previous owner will continue to be removed as they are able to be sold and they will not be replaced. Kel-Lake Garden Centre operations no longer include any soil processing activities beyond those for the immediate use in the greenhouses and agricultural activities conducted on-site. The business will focus on nursery, plants and complimentary sales of bagged products and pots.
- ✓ Agricultural improvements are ongoing on the subject property to take advantage of the property's capabilities. Both greenhouse operations (non-soil bound) and open-field soil bound production form part of the short-term plans for operations. Products available on-site currently include garden accessories & supplies; indoor & outdoor plants; landscaping materials; seasonal items and trees & shrubs.
- ✓ New fence and gate installed along the north property boundary adjacent to limit uninvited access/trespass onto the property from Highway 97
- ✓ Eastern half of the property contoured to remediate historical soil-making activity
- ✓ Aggregate bins relocated and improved to reduce footprint and make additional area available for future farming
- ✓ Built a new 2,500ft² (25ft x 100ft) greenhouse for growing vegetables
- ✓ Planted numerous trees around the property

- ✓ Power poll installed at Highway 97 gated access to provide 200-amp electrical service for future farm use
- ✓ Ongoing cleanup of junk material left on the property by the previous owner

Figure 12: 2020 Aerial Photo



The property is located in area of good agricultural capability and owners' plans value these conditions; the intention is to increase production over time. Site development continues to respect adjacent agricultural operations including buffering the adjacent orchard from the retail sales uses by careful design. The size and siting of operations minimize the impact on adjacent properties. The aggregate sales corrals have been relocated to make better use of the site in a previously disturbed area along the northern property line conveniently providing a buffer between the parking and operations area and the adjacent orchard.

2021

- ✓ Additional landscaping completed to further enhance the natural aspects of the property
- ✓ Ongoing cleanup of junk material on the property
- ✓ Aggregate sales area reconfigured to reduce footprint of the retail sales activities, improve function and create a buffer between the operations and the orchard to the north.

Figure 13: August 28, 2021 Aerial Photo



2022

Photo(s) 3: Looking northeast at the renovated landscape materials corrals located along the northern property boundary in Spring 2022



Photo(s) 4: Spring 2022 plant production in the greenhouses



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Figure 14: June 26, 2022 Aerial Photo



- ✓ Bulk sales of soil from the corral area to the rear of the greenhouses have been eliminated; only bagged soil products will be available from pallets arranged along the greenhouse adjacent to the parking area.
- ✓ Former Contractor sales area adjacent to Highway 97 decommissioned as shown in Photo 5.

Photo(s) 5: Looking east/southeast to Highway 97 (See star on August 17th Aerial photo)



- ✓ An additional greenhouse will be added to the production facilities to increase growing capabilities of annual products.
- ✓ Applications to the City of Kelowna and the ALC will be submitted in October 2022
- ✓ The property owner will continue to work with the Ministry of Transportation and the District of Lake Country to address access issues; a decision is expected late in 2022

Figure 15: August 17, 2022 Aerial Photo



While the primary use of the property is for agriculture, combining growing and retail activities provides the opportunity for a successful agricultural enterprise that supports the ongoing use of valuable agricultural lands. Both short and long-term plans for the property return the property to a more suitable use in comparison with historical uses; agricultural productivity will be enhanced. The proposed uses are permitted by zoning; provide benefit to local agriculture by making products available in the local area; can be accommodated using existing municipal infrastructure; minimize impacts on productive agricultural lands through thoughtful site design; increase agricultural productivity in both the short and long-term; and do not harm adjacent farm operations. An application to vary the maximum area devoted to retail sales as described in the zoning bylaw (Footnote 4) may be needed concurrent support.

One of the key facets of the Site Development Plan is the application is to bring the business into compliance with the ALC Act and City of Kelowna regulations with respect to ongoing operations which include sale of landscaping products that do not originate on-site. Given the desire to continue with aggregate sales within existing facilities and after review with Dave Birchmore, ALC Compliance Officer, it has been determined that a Non-Farm Use application to vary the maximum area used for retail sales from 50% of 300m² to a total of 570m² as discussed on site August 10, 2022 is required.

The garden centre is currently accessed via a driveway from Shanks Road. That portion of the site directly adjacent to Shanks Road includes residential uses in a single detached dwelling and three accessory buildings. Directly behind the existing house are five greenhouses, a gazebo and office used for propagation, sales and storage uses associated with the Kel Lake Garden Centre. This area is described as the “Greenhouse Area”. The remaining portion of the property north to

Highway 97 is currently being prepared for planting in a cover crop until it can be converted to growing trees, plants and flowers to be sold in the retail operations.

Photo(s) 6: Tree Farm Area adjacent to Parking Area & area between Greenhouses and Office



Photo(s) 7: Gazebo from parking area and inside the Gazebo/Shade plant sales area



Photo(s) 8: Greenhouses, rear of Gazebo and Bagged Soils Area adjacent to parking area



Permission to use an existing access to Highway 97 is being sought; however, the outcome will be impacted by ongoing discussions between the Provincial Ministry of Transportation and the District of Lake Country for a new signalized intersection in the vicinity. If an agreement is reached between the various parties, the owner's property at 4497 Shanks Road located to the north in the

District of Lake Country, may in future (once road frontage and direct access from Highway 97 can be established) become the focus of the retail portion of the operations. If a new intersection is established on or directly adjacent to the property at 4497 Shanks Road, the owners' long-term plan will shift the current retail operations from 4351 Shanks Road to 4497 Shanks Road. In any case, agricultural use of the subject property will continue to increase over time. The current application is to allow the retail activity to occur at 4351 Shanks Road. Future considerations are provided for context and information only.

FUTURE DEVELOPMENT

2023

- Improve and develop irrigation system to the eastern half of the property for future growing needs.
- Grow, cut and harvest rye for sale.

2024 (and future years)

- Further improve property by planting tree's and improving green-scaping.
- Grow, cut and harvest rye for sale.
- Explore other commodities to grow and harvest and consider future farming practices, i.e. cut flowers grown on-site, wholesale sales of perennials and/or alfalfa production and sale.





ATTACHMENT D

This forms part of application
 # **A22-0006**

Planner Initials TC


 City of
Kelowna
DEVELOPMENT PLANNING

December 22, 2022

Planning Department
 City of Kelowna
Sent by email

Dear Planning Department:

Re: A22-0006 – Non-Farm Use Application at 4351 Shanks Rd (PID: 012-296-562)

Thank you for providing the opportunity for the Ministry of Agriculture and Food (Ministry) to comment on the referenced file. Ministry staff have reviewed the provided materials and offer the following comments:

- Based on the application, the current property owner appears to be attempting to resolve some historical site issues and bring the property into compliance with requirements of both the Agricultural Land Commission (ALC) and the City.
- We understand that hardscape products will not be re-stocked on the site and will ultimately no longer be sold.
- Soil processing activities will only be for use by on-site agricultural production. Bulk soil sale has been eliminated.
- Bagged soil products, soil additives, mulch and landscape rock are proposed to be brought in and sold from a 570 m2 area as part of the garden centre and nursery business.
- The proposed non-farm use will support the nursery operation and disturbance from the bulk soil processing and sales is in the process of being rectified.
- As the site is being rehabilitated and the off-site products that will be brought in for sale are typical of a nursery operation, we have no objection to this application proceeding to the ALC for decision.

Please contact us if you have any questions regarding the above comments.

Sincerely,




Alison Fox, P.Ag.
Land Use Agrologist
B.C. Ministry of Agriculture and Food
Alison.Fox@gov.bc.ca
(778) 666-0566

Chris Zabek, P.Ag.
Regional Agrologist
B.C. Ministry of Agriculture and Food
Chris.Zabek@gov.bc.ca
(236) 766-7056

ATTACHMENT **D**

This forms part of application
A22-0006

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Kelowna

A22-0006

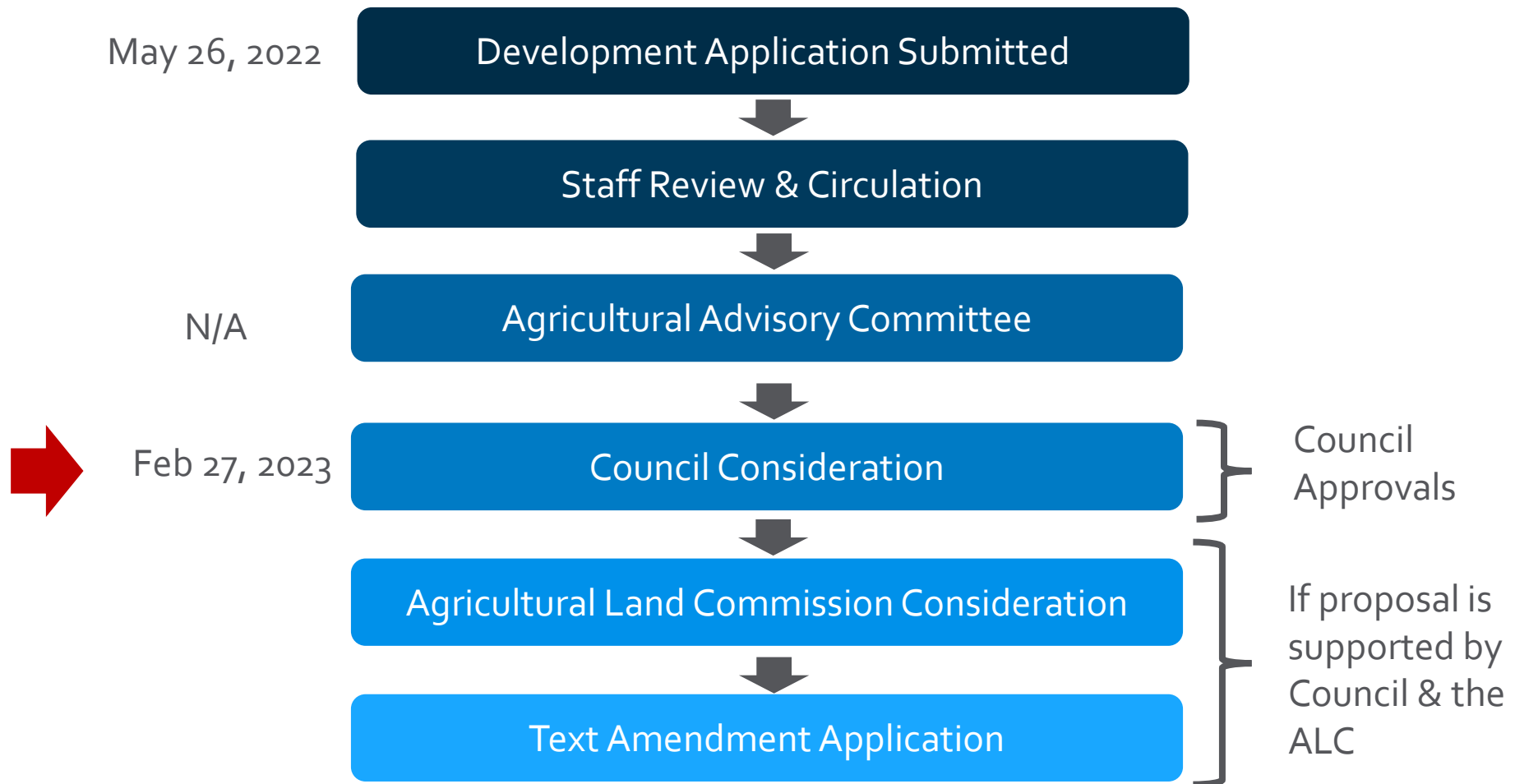
4351 Shanks Road

Application to the ALC for a Non-Farm Use Application

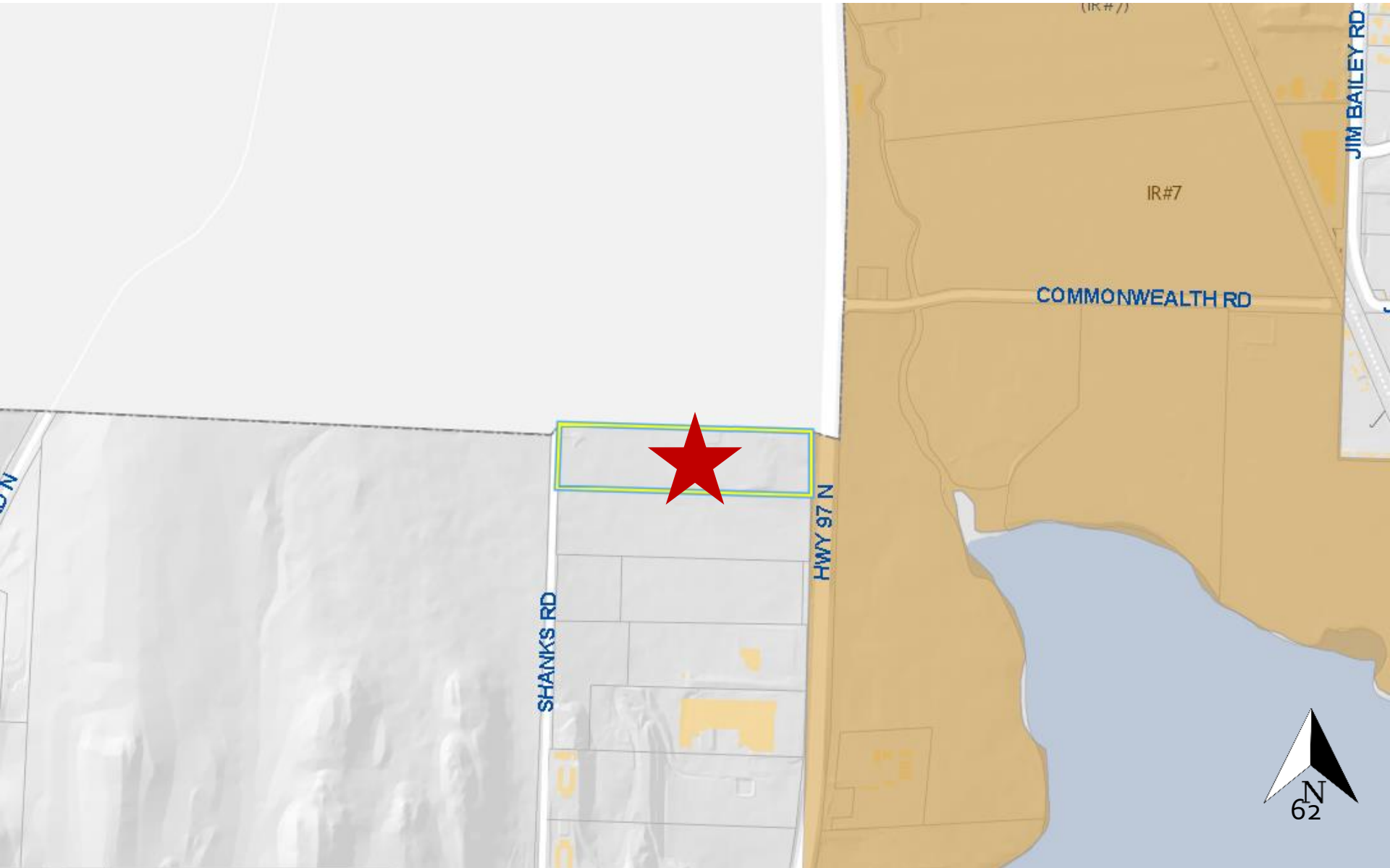
Proposal

- ▶ To review a Staff recommendation NOT to support an application to the Agricultural Land Commission to allow for the sale of landscaping products.

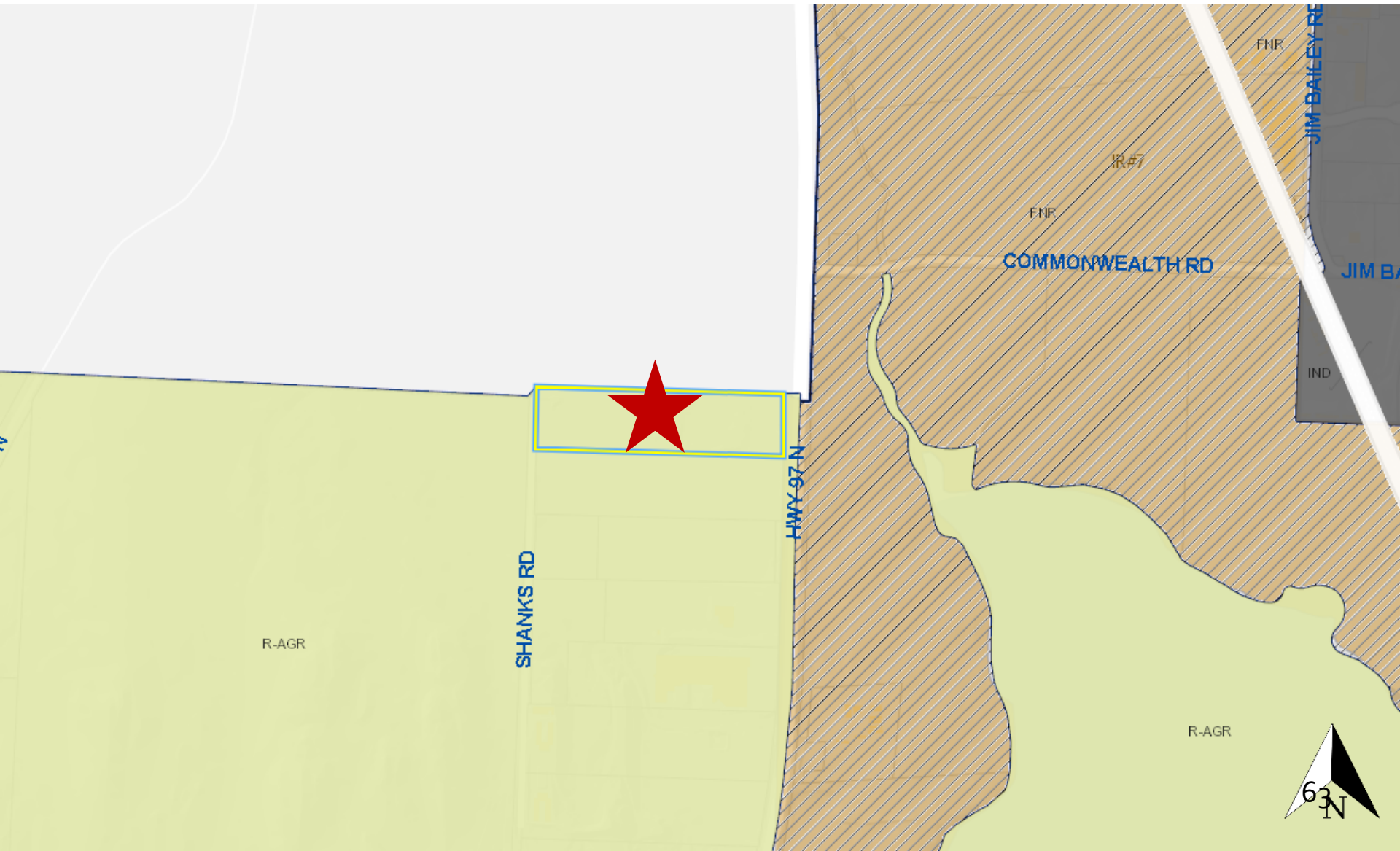
Development Process



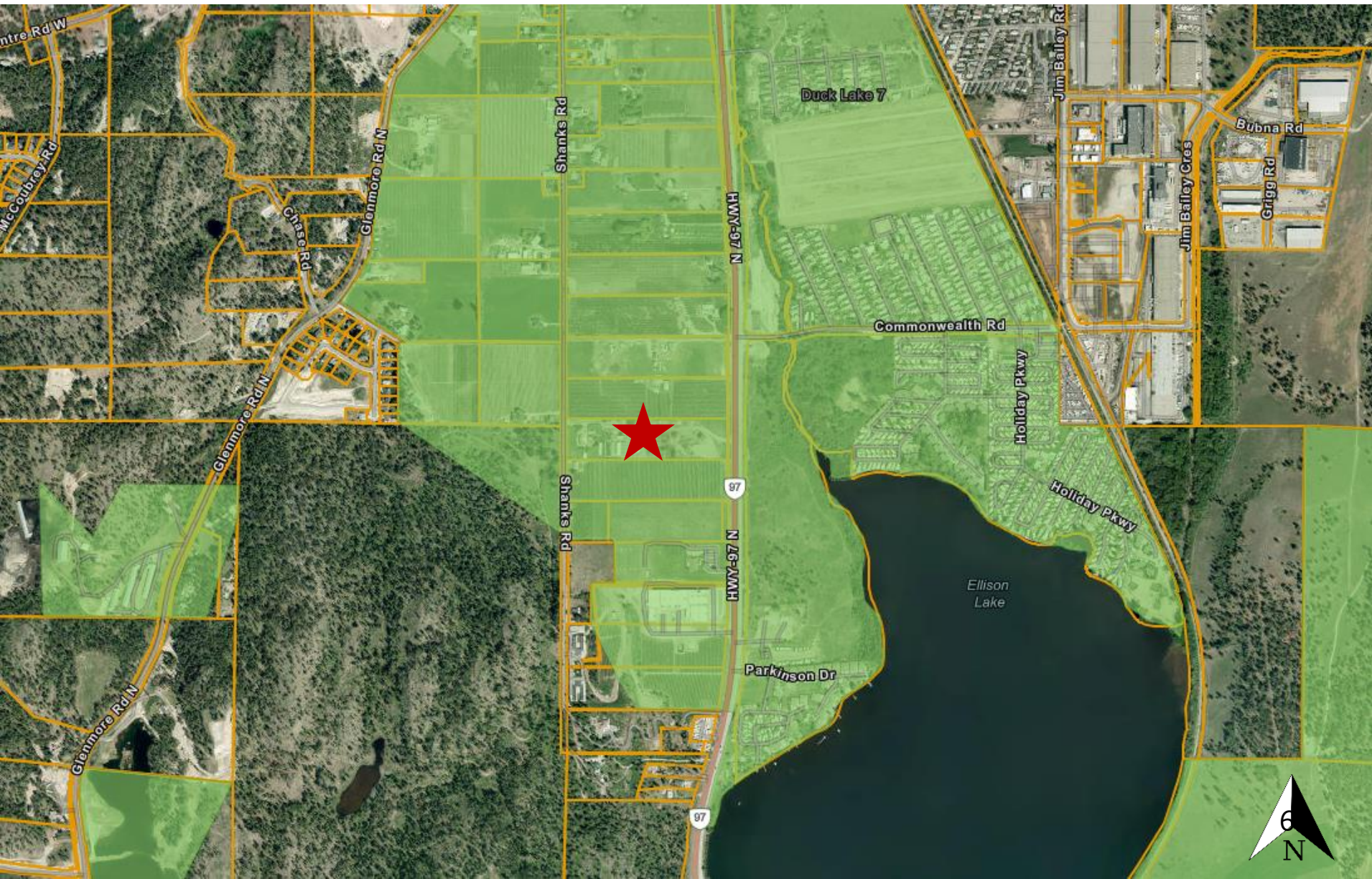
Context Map



OCP Future Land Use / Zoning



Agricultural Land Reserve



Aerial View – 2012 & 2015



Aerial View – 2019 & 2022



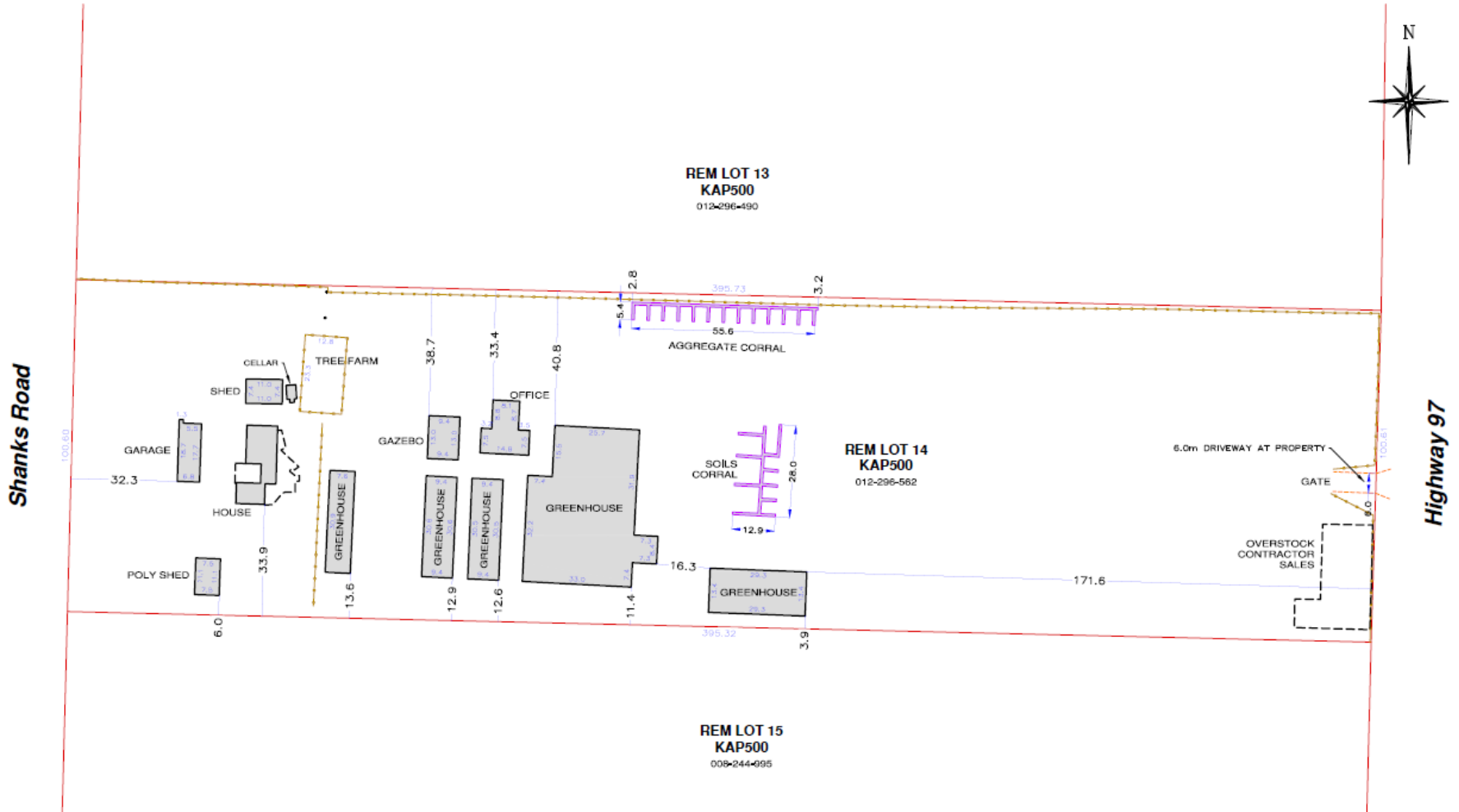
Aerial View



Project Details

- ▶ The Non-Farm Use Application is to bring the existing into compliance with ALC legislation and the City of Kelowna Zoning Bylaw.
- ▶ The property has a garden center and nursery.
- ▶ The Non-Farm Use is to sell the existing aggregate on-site and continue to sell soil products, soil additives, mulches and landscaping rocks, which are brought from offsite locations.
- ▶ If endorsed by Council and supported by the ALC, a Text Amendment Application is required.

Site Plan



Non-Farm Use Applications

- ▶ Official Community Plan provides support for non-farm use applications where the proposal meets:
 - ▶ i. Consistent with the Zoning Bylaw and OCP;
 - ▶ ii. provides significant benefits to local agriculture;
 - ▶ iii. can be accommodated using existing municipal infrastructure;
 - ▶ iv. minimizes impacts on productive agricultural lands;
 - ▶ v. will not preclude future use of the lands for agriculture; and,
 - ▶ vi. will not harm adjacent farm operations

Staff Recommendation

- ▶ Staff do **not** recommend support of the proposed Non-Farm Use Permit.
 - ▶ The business does not meet the intent of the OCP and Zoning Bylaw.
 - ▶ The proposal to bring on materials produced offsite does not benefit local agriculture and is not necessary for the farm uses on the property.
 - ▶ To meet the Zoning Bylaw, the business operation should be limited to 150m² area.
- ▶ Recommend the Bylaw **not** be forwarded to ALC for consideration.



Conclusion of Staff Remarks

REPORT TO COUNCIL



Date: February 27, 2023

To: Council

From: City Manager

Department: Development Planning

Application: Z22-0057

Owner: James Davidson & Anne Davidson

Address: 4644 Fuller Road

Applicant: Jeff Cote, Rockwood Custom Homes

Subject: Rezoning Application

Existing OCP Designation: S-RES – Suburban Residential & NAT – Natural Areas

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z22-0057 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot A Section 25 Township 28 SDYD Plan 39139, located at 4644 Fuller Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a 219 Do-Not-Disturb Covenant for riparian area protection;

AND FURTHER 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 February 27, 2023;

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 home.

3.0 Development Planning

Staff are supportive of the rezoning for the subject property from RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone. The subject property has the S-RES – Suburban Residential future land use designation, has sanitary sewer connection, and is within the City’s Permanent Growth Boundary (PGB). As such, the proposed zoning is consistent with the Official Community Plan’s (OCP) objectives.

4.0 Proposal

4.1 Project Description

The proposed rezoning to the RU1c – Large Lot Housing with Carriage House zone would retain the existing principal dwelling on the property and facilitate the development of a carriage house. Should the proposed rezoning be adopted the carriage house would be located in the north-eastern portion of the property. The conceptual site plan shows the proposed location and sufficient parking for the unit. Only one driveway access is permitted for the site.

4.2 Site Context

The subject property is located adjacent to Okanagan Lake and adjacent to the Farris Road Beach Access. The surrounding area is primarily zoned RU1 – Large Lot Housing. Lakeside School and small-scale commercial services are located within the neighbourhood.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large lot Housing	Single-Family Dwelling
East	RU1 – Large lot Housing	Single-Family Dwelling
South	RU1 – Large lot Housing	Park/ Public Beach Access
West	Okanagan Lake	Okanagan Lake

Subject Property Map: 4644 Fuller Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable	
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 will provide an additional ground-oriented dwelling to increase housing availability in suburban neighbourhoods. The property is also located in close proximity to Lakeside School and commercial services.</i>

6.0 Technical Comments

6.1 Development Engineering Department

6.1.1 Refer to Attachment A dated October 27, 2022

7.0 Application Chronology

Date of Application Accepted: September 15, 2022
 Date Public Consultation Completed: January 26, 2023

- 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: Conceptual Site Plan
- Attachment C: Applicant’s Rationale Letter

CITY OF KELOWNA
MEMORANDUM

Date: October 27, 2022
File No.: Z22-0057
To: Community Planning Services (BS)
From: Development Engineering Manager (NC)
Subject: 4644 Fuller Road Lot A Plan KAP39139 Carriage House RU1 to RU1c

ATTACHMENT A

This forms part of application
Z22-0057

Planner Initials **BS**


City of
Kelowna
DEVELOPMENT PLANNING

The Development Engineering Branch has the following comments and requirements associated with this application to rezone application to rezone the subject property from RU1 to RU1c for the construction of a carriage house.

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.

2. Domestic Water and Fire Protection

- a. The subject property is currently serviced with a 19mm PVC water service. One metered water service will supply both the main residence and the carriage house.
A Mechanical Engineer to confirm service needed

3. Sanitary Sewer

- a. Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber (IC). The service will be adequate for this application.

4. Site Access

- a. Only one driveway, with a maximum width of 6m, will be permitted per frontage.
No parking is permitted within City boulevard.

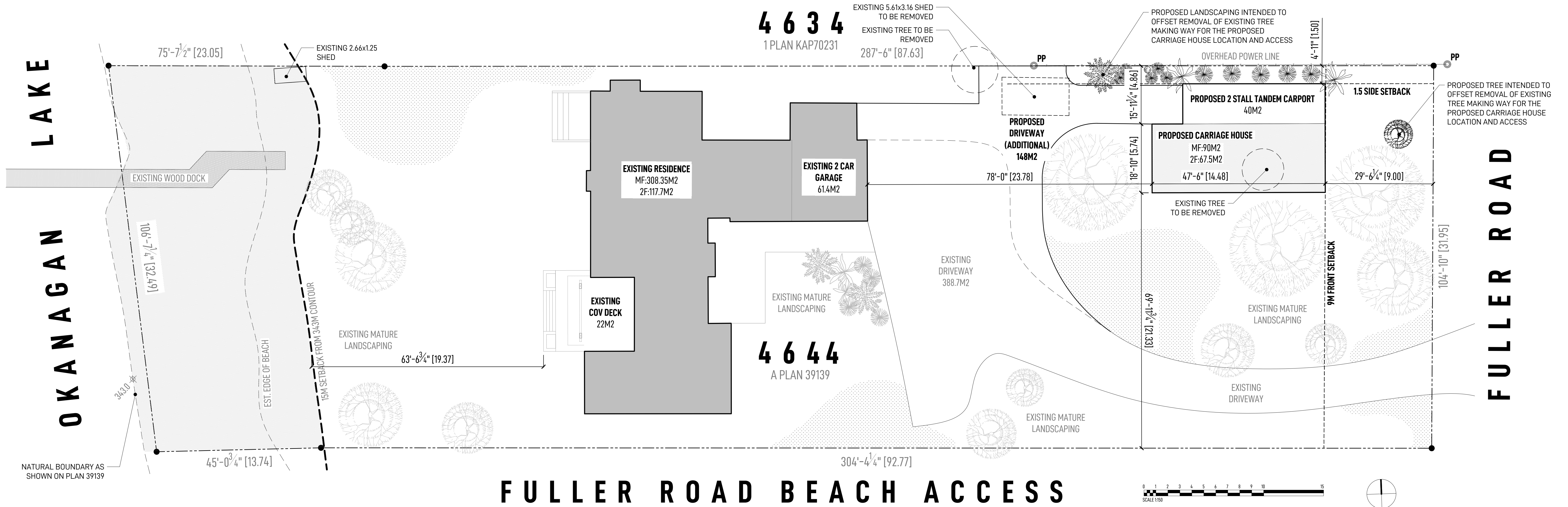
5. Electric Power and Telecommunication Services

- a. It is the applicant's responsibility to make a servicing application with the respective electric power, telephone, and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



Nelson Chapman, P.Eng.
Development Engineering Manager

JF



ROCKWOOD.

DAVIDSON RESIDENCE
 4644 FULLER ROAD, KELOWNA BRITISH COLUMBIA
 LOT A SECTION 25 TOWNSHIP 28 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 39139
 PROPOSED REZONING SITE PLAN - JANUARY 06 2023

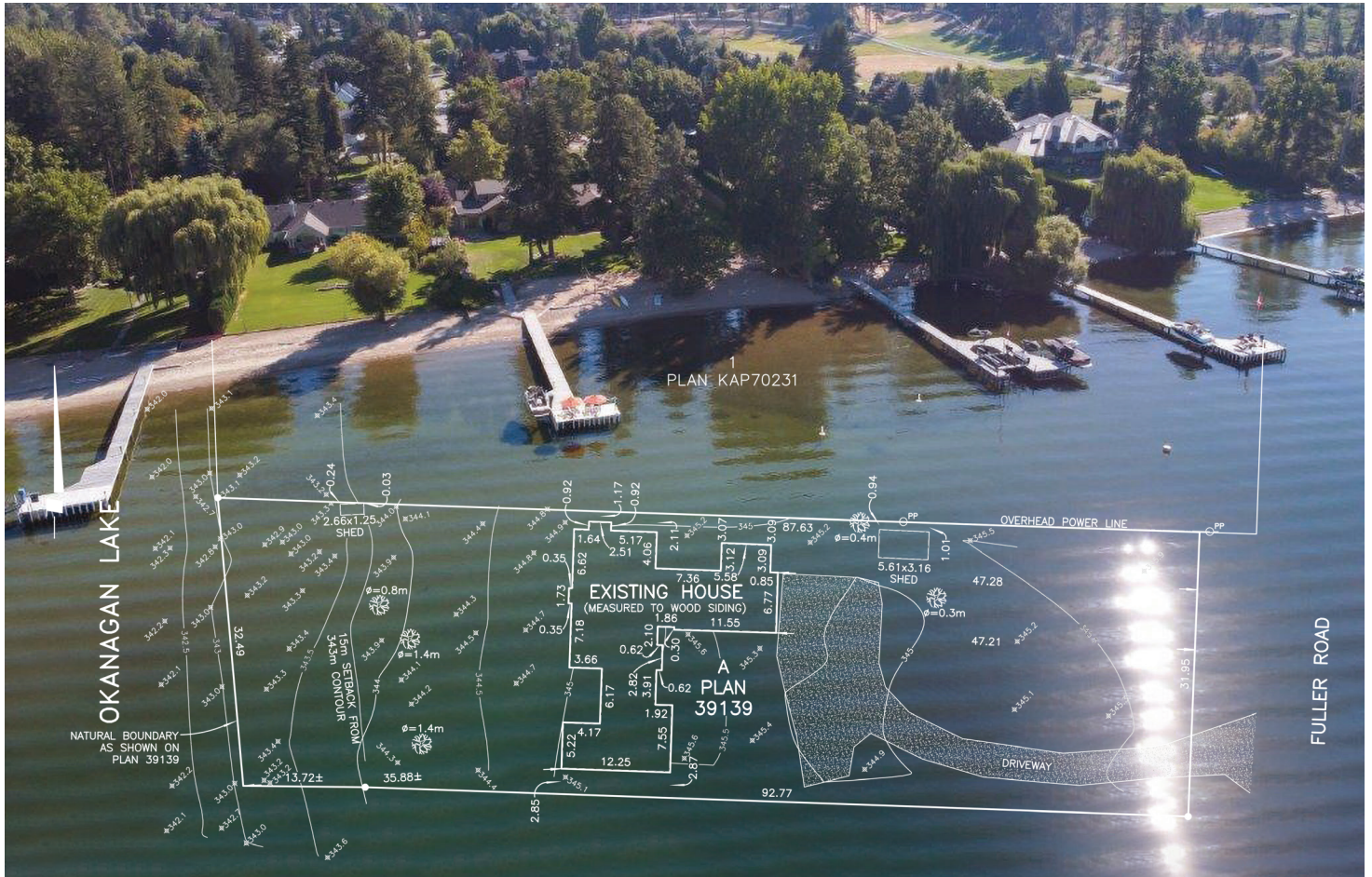
REZONING RATIONALE 12/08/22

Davidson Residence

4644 Fuller Road Kelowna

Lot A Section 25 Township 28

Similkameen Division Yale District Plan 39139



4644 Fuller Road is a remarkable property along the Okanagan Lake that has recently changed ownership with the receiving family looking to revise the existing property zoning from RU1 to RU1c, in hopes of building a separate accessory building or carriage house with the intention of it being fully compliant with the various land use and building code restrictions as required.

Considering that the city of Kelowna has now released its vision for the future of the area in its 2040 Official Community Plan, it is our position that we feel this request is a beneficial change not only to provide the family the ability to develop a carriage house in the future but to also reflect the intended forthcoming zoning for the property as identified in the 2040 OCP.

The property has ample space and existing access to house and support a carriage house. We have identified a proposed location within the middle north east portion of the property that would be perfect for a carriage house structure as it does not impact any of the existing residence or access and would be nestled into the existing mature trees and landscaping. The proposed structure would again comply with all necessary regulations and would also consider the existing structure on the subject parcel as well as the adjacent residences and their context to ensure that the overall design is in keeping with the neighborhood. When the time of executing the proposed development comes, it is our commitment to ensuring that the structure not only complies or meets the local building codes but exceeds them by completing the project to a high level of fit and finish.

We hope that you find merit in this rationale and approve the requested rezoning for 4644 Fuller Road.

Thank You,

Jeff Cote

Architectural Design Manager

403 9690386 jeff@rockwoodcustomhomes.com

ATTACHMENT C

This forms part of application
Z22-0057

Planner
Initials BS

City of
Kelowna

DEVELOPMENT PLANNING

CITY OF KELOWNA

BYLAW NO. 12482

Z22-0057

4644 Fuller 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 A Section 25 Township 28 SDYD Plan 39139, located on Fuller 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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



City of
Kelowna

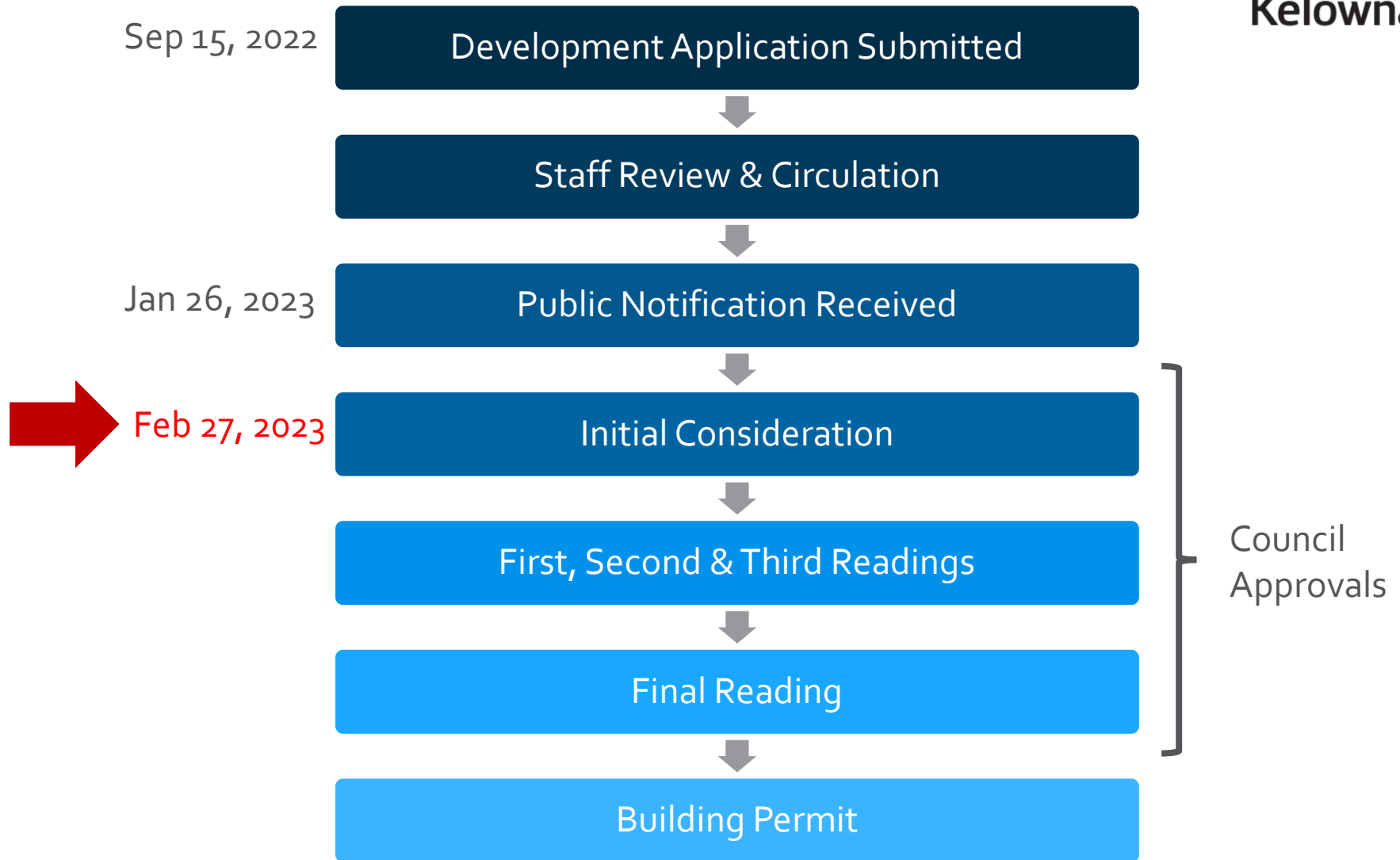
Z22-0057 4644 Fuller Road

Rezoning Application

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 home.

Development Process

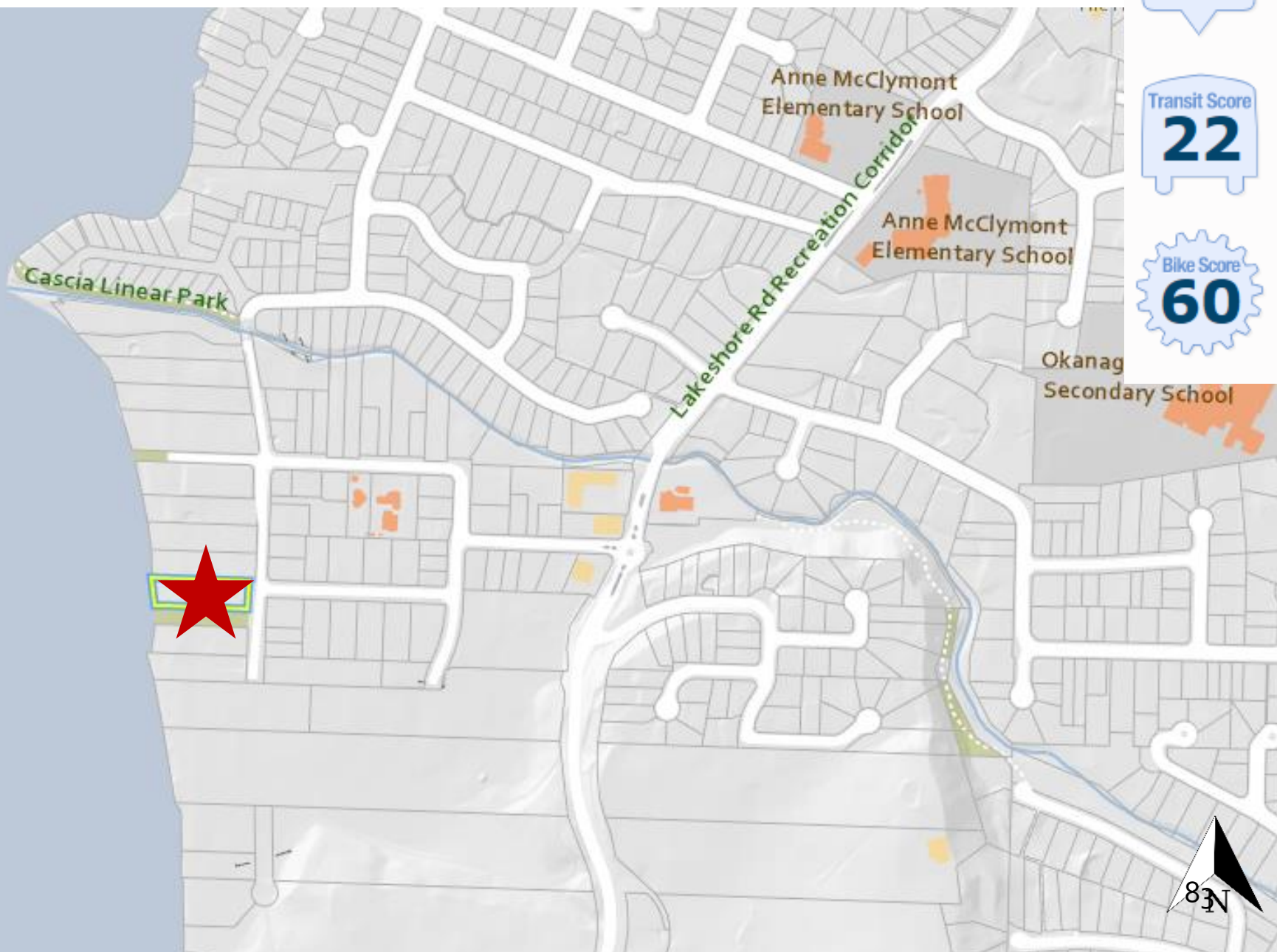


Context Map

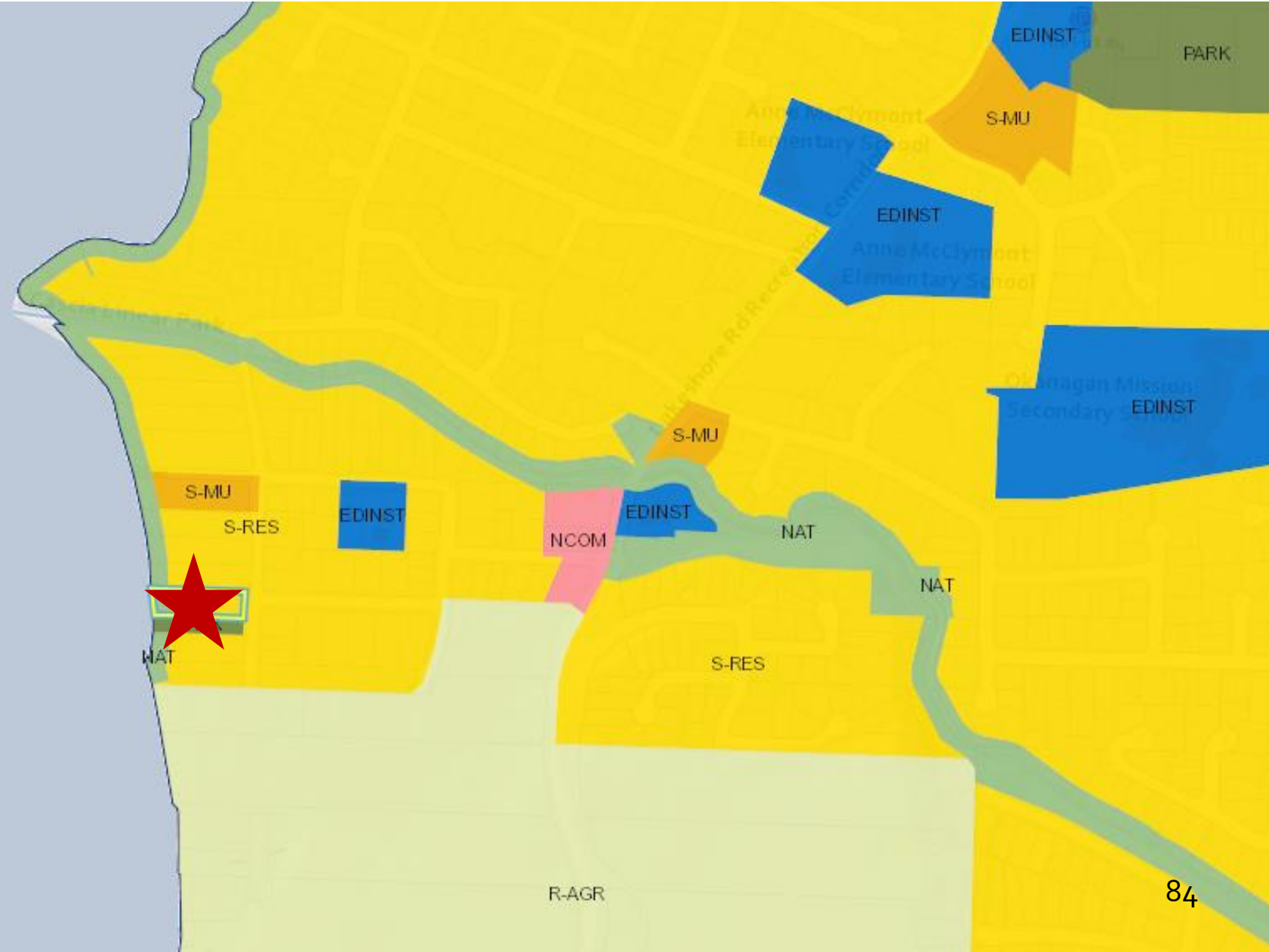
Walk Score
38

Transit Score
22

Bike Score
60



OCP Future Land Use



Subject Property Map



Project Details

- ▶ S-RES – Suburban Residential
- ▶ RU_{1c} – Large Lot Housing with Carriage House
 - ▶ All carriage house regulations have been met
 - ▶ One vehicle access
 - ▶ Connection to sanitary sewer

OCP Objectives & Policies

- ▶ Policy 7.2.1 Ground-Oriented Housing
 - ▶ A low-density ground-oriented housing development to improve housing diversity and affordability

Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning as it is consistent with:
 - ▶ OCP Future Land Use S-RES
 - ▶ OCP Objectives in Chapter 7 Suburban Residential
 - ▶ Increase Housing Diversity

REPORT TO COUNCIL



Date: February 27, 2023

To: Council

From: City Manager

Department: Development Planning

Application: Z22-0075 **Owner:** 979 Coronation GP Ltd., Inc.
No. BC1375934 & Jamie Dennis Haynes

Address: 979 & 983 Coronation Ave **Applicant:** 979 Coronation LP Inc. – Jeff Waters

Subject: Rezoning Application

Existing OCP Designation: C-NHD – Core Area Neighbourhood

Existing Zone: MF1 – Infill Housing

Proposed Zone: MF2 – Townhouse Housing

1.0 Recommendation

THAT Rezoning Application No. Z22-0075 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 46 District Lot 138 ODYD, Plan 1271 and Lot 47, District Lot 138, ODYD, Plan 1271, located at 979 & 983 Coronation Ave, Kelowna, BC, from the MF1 – Infill Housing zone to the MF2 – Townhouse 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 February 27, 2023;

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

2.0 Purpose

To rezone the subject properties from the MF1 – Infill Housing zone to the MF2 – Townhouse Housing zone to facilitate the development of a townhouse development.

3.0 Development Planning

Staff support the proposal to rezone the subject properties to the MF2 – Townhouse Housing zone. The proposed rezoning will facilitate the development of a townhouse project which conforms with the Official Community Plan (OCP) Future Land Use Designation of C-NHD - Core Area Neighbourhood. OCP Policy encourages diverse housing forms, in particular, ground-oriented housing like townhomes, in the Core Area as a form of gentle densification.

One of the primary differences between the current MF1 – Infill Housing zone and the proposed MF2 – Townhouse Housing zone is the 3-storey permitted height. OCP Policy contemplates additional height and density near Active Transportation Corridors and within a transition zone from Transit Supportive Corridors. The subject properties are in close proximity to two Active Transportation Corridors and two Transit Supportive Corridors.

4.0 Proposal

4.1 Project Description

The proposed rezoning from MF1 – Infill Housing to MF2 – Townhouse Housing will facilitate the development of a 9-unit townhouse development on the subject properties. The two subject properties would be consolidated to construct 8 two-bedroom units and 1 bachelor unit. The two-bedroom units would be 3 storeys in height and the bachelor unit would be two storeys in height. Rooftop patios are proposed for each unit. Vehicle access to the site would be provided from the rear laneway.

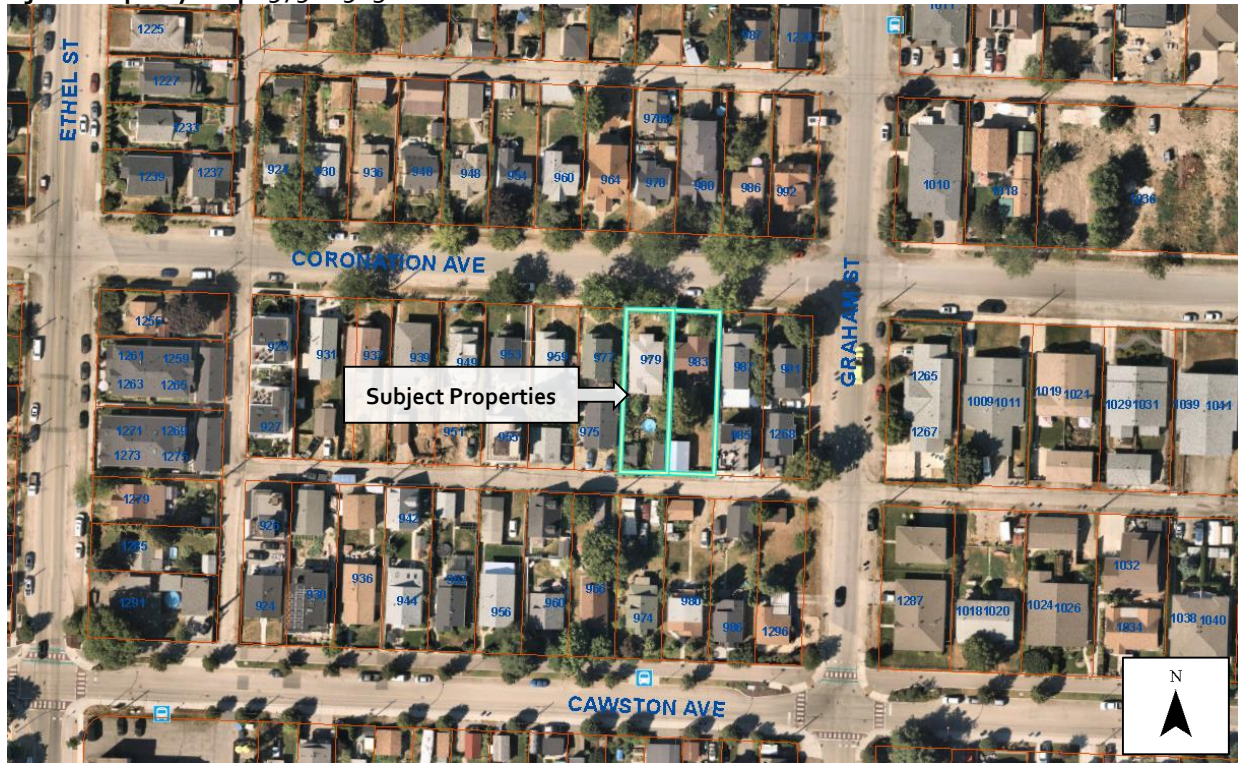
4.2 Site Context

The subject properties are located on Coronation Ave, between Ethel St and Graham St. There are Active Transportation Corridors on Ethel Street and Cawston Ave, which is one block south. Clement Ave and Gordon Dr, which are both within 250 m of the subject properties, are designated as Transit Supportive Corridors in the OCP. Cawston Ave also has transit stops. All surrounding properties are designated C-NHD – Core Area Neighbourhood and are zoned MF1 – Infill Housing and RU4 – Duplex Housing. The surrounding neighbourhood contains a mix of single detached housing, duplexes, secondary suites, carriage houses and fourplexes.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU4 – Duplex Housing	Single Detached Housing
East	MF1 – Infill Housing	Single Detached Housing
South	MF1 – Infill Housing	Single Detached Housing
West	MF1 – Infill Housing	Single Detached Housing Carriage House

Subject Property Map: 979 & 983 Coronation Ave



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.3 Design residential infill to be sensitive to neighbourhood context	
Policy 5.3.1 Ground Oriented Infill	<p>Encourage gentle densification in the form of ground-oriented residential uses such as house-plexes, townhouses, and narrow lot housing to approximately 2 storeys, maintaining residential uses and setbacks that reflect the existing development pattern. Consider opportunities for greater height and massing at block ends and along Active Transportation Corridors.</p> <p><i>The development proposal is for ground-oriented residential uses in the form of townhouses. The proposed townhouses are 3 storeys in height, but are near two Active Transportation Corridors.</i></p>
Policy 5.3.2 Transition from Transit Supportive Corridors	<p>Provide a transition area allowing for 3-4 storeys in height serving as a transition from the medium density development along the Transit Supportive Corridors and lower density residential areas in the Core Area. Encourage ground-oriented residential such as stacked townhouses and bungalow courts with setbacks that respect adjacent lower density residential areas. Discourage commercial use in the transition zone.</p> <p><i>The subject properties are one block south of the Clement Ave Transit Supportive Corridor and one block west of the Gordon Drive Transit Supportive Corridor within the fringe of the transition area from these corridors.</i></p>
Policy 5.11.1 Diverse Housing Forms	<p>Encourage a diverse mix of low and medium density housing forms in the Core Area that support a variety of households, income levels and life stages.</p> <p><i>The proposed townhouses provide a new housing form in a neighbourhood that presently largely consists of older single detached housing and duplexes, and newer house-plexes.</i></p>

6.0 Technical Comments

6.1 Development Engineering Department

- See Attachment A

7.0 Application Chronology

Date of Application Accepted: November 29, 2022

Date Public Consultation Completed: January 20, 2023

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

CITY OF KELOWNA

MEMORANDUM

Date: January 25, 2023
File No.: Z22-0075
To: Planning and Development Officer (MT)
From: Development Engineering Manager (NC)
Subject: 979 & 983 Coronation Ave MF1 to MF2

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject properties from MF1 – Infill Housing to MF2 – Townhouse Housing to facilitate a 9-unit townhouse development. The Development Technician for this file is Sarah Kelly (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 to obtain further information and to determine suitable location(s) within the development.

2. **DOMESTIC WATER AND FIRE PROTECTION**

- a. The subject lots are located within the City of Kelowna water supply area and are each serviced with a 13-mm diameter water service. Only one service is permitted per legal lot. Removal of the existing services and replacement with one new, larger, metered service will be required. This work will be completed by the City in conjunction with a City led watermain upgrade.
- b. 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 Developer will be responsible to provide the City with the water service size required as determined by their consultant. The difference in cost between a 19mm service and the size required to service this development, must be paid by the Developer. Please contact the development technician for this file for further information.
- c. The Bylaw requirement for minimum available fireflow to multifamily residential lots is 150 L/s. Existing 100mm watermain cannot provide minimum fire flows and upgrades to existing water distribution system must be made to achieve the necessary fire flows at the Applicant's cost. Please contact the development technician for this file for further information.

- d. 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

3. SANITARY SEWER SYSTEM

- a. Our records indicate that each of the subject lots are currently 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. The applicant must contact the City to arrange for the removal and disconnection the existing services and the installation of one new service at the applicants cost, complete with an inspection chamber and Brooks box as per SS-S7 & SS-S9.

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 unless safe use of infiltration is 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. 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. 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. 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 & SITE ACCESS

- a. Only utility upgrades must be completed at this time as the City wishes to defer the frontage upgrades on Coronation Ave and the Laneway to the rear of the subject lot. Therefore, a cash-in-lieu of immediate construction payment is required, and the City will initiate the work on its own construction schedule.
- b. Coronation Ave is classified in the 2040 OCP as a Core Area Local road and must be upgraded to an urban standard along the full frontage of the subject property. Required upgrades to include removal of deteriorated sidewalk and replacement with new 1.8m wide separated sidewalk, barrier curb and gutter, 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. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. Please contact the development technician for this file for further information and to confirm cash-in-lieu amount to be paid.
- c. Laneway must be upgraded to an SS-R2 standard along the full frontage of this proposed development, drainage system, 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 **\$14,729.35** not including utility service cost.
- d. All driveway access to the subject lot must be from the laneway.

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).



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.

8. **DESIGN AND CONSTRUCTION**

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

examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

9. SERVICING 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.

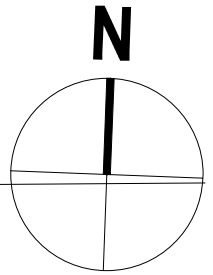
10. CHARGES AND FEES

- a. Development Cost Charges (DCC’s) are payable.
- b. 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).
- c. Cash-in-Lieu of Construction Payments:

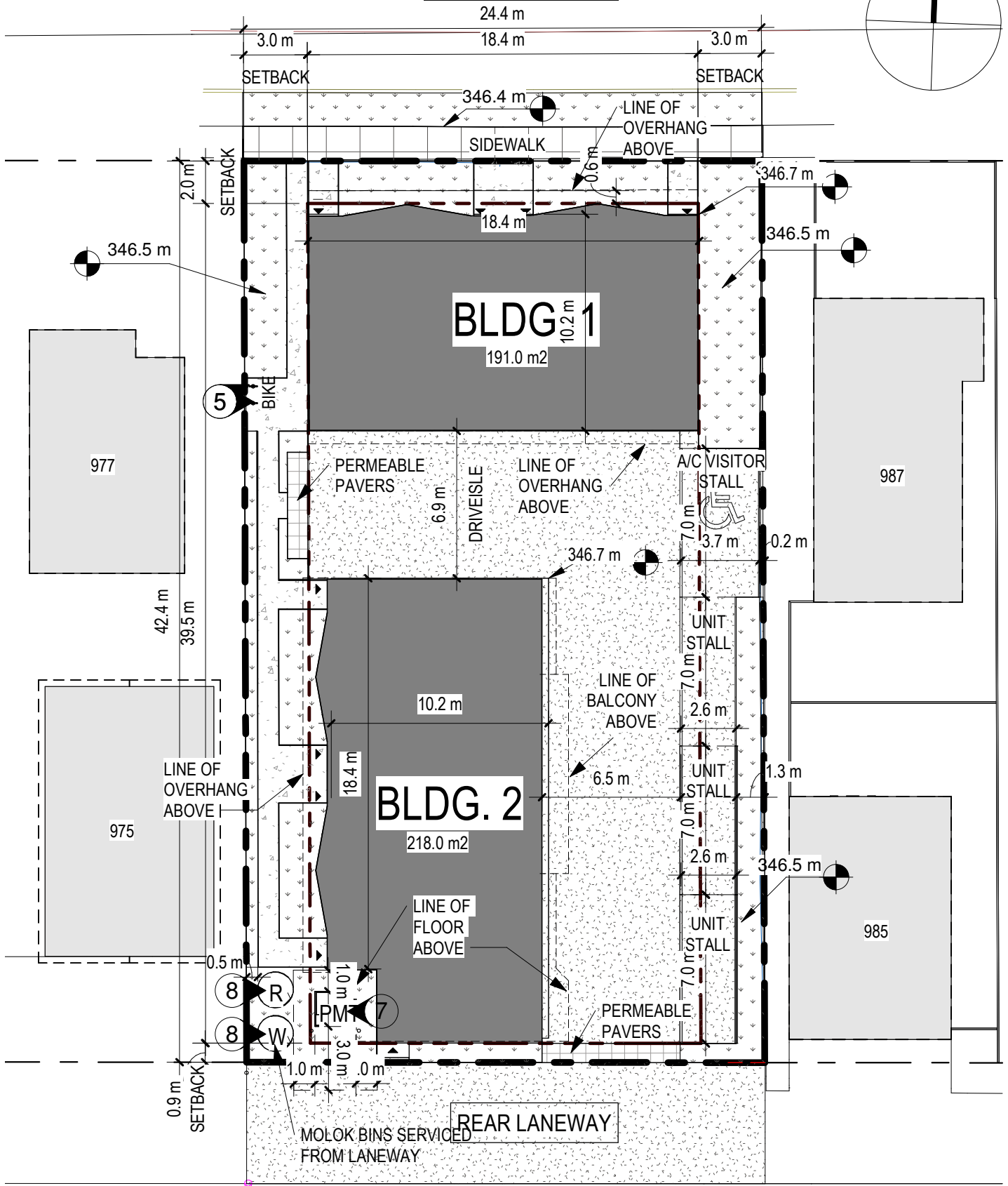
**Payment must be made with certified cheque or bank draft*

 - i. Coronation Ave Frontage Upgrades: TBD
 - ii. Laneway Frontage Upgrades: \$14,729.25
 - iii. Engineering and Inspection Fee 3.5% of cash-in-lieu + GST

A Sangster on behalf of _____
Nelson Chapman, P.Eng.
Development Engineering Manager
SK



CORONATION AVE.



FILE: C:\Users\stardrew\Documents\22721 - CORONATION TOWNHOMES - MF2-SITE-CENTRAL-20_ahouston\VB3ZA.rvt

DATE: 2/2/2023 2:07:50 PM

DRAWN BY: Author - CHECKED BY: Checker



SITE PLAN - PROPOSED

DRAWING: D200

22721 CORONATION TOWNHOMES ISSUED FOR RZ/DP - PLANNING REQUEST
799 & 983 CORONATION AVENUE, KELOWNA, BC

PROJECT: 99
SCALE: 1 : 250

CITY OF KELOWNA
BYLAW NO. 12484
Z22-0075
979 & 983 Coronation Ave

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 46 District Lot 138 ODYD, Plan 1271 and Lot 47, District Lot 138, ODYD, Plan 1271, located on Coronation Ave, Kelowna, BC, from the MF1 – Infill 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

Z22-0075
979 & 983 Coronation Ave
Rezoning Application

Purpose

- ▶ To rezone the subject properties from the MF₁ – Infill Housing zone to the MF₂ – Townhouse Housing zone to facilitate the development of a townhouse development.

Development Process



Nov 29, 2022

Development Application Submitted



Staff Review & Circulation



Jan 20, 2023

Public Notification Received



Feb 27, 2023

Initial Consideration



Reading Consideration



Final Reading & DP/DVP

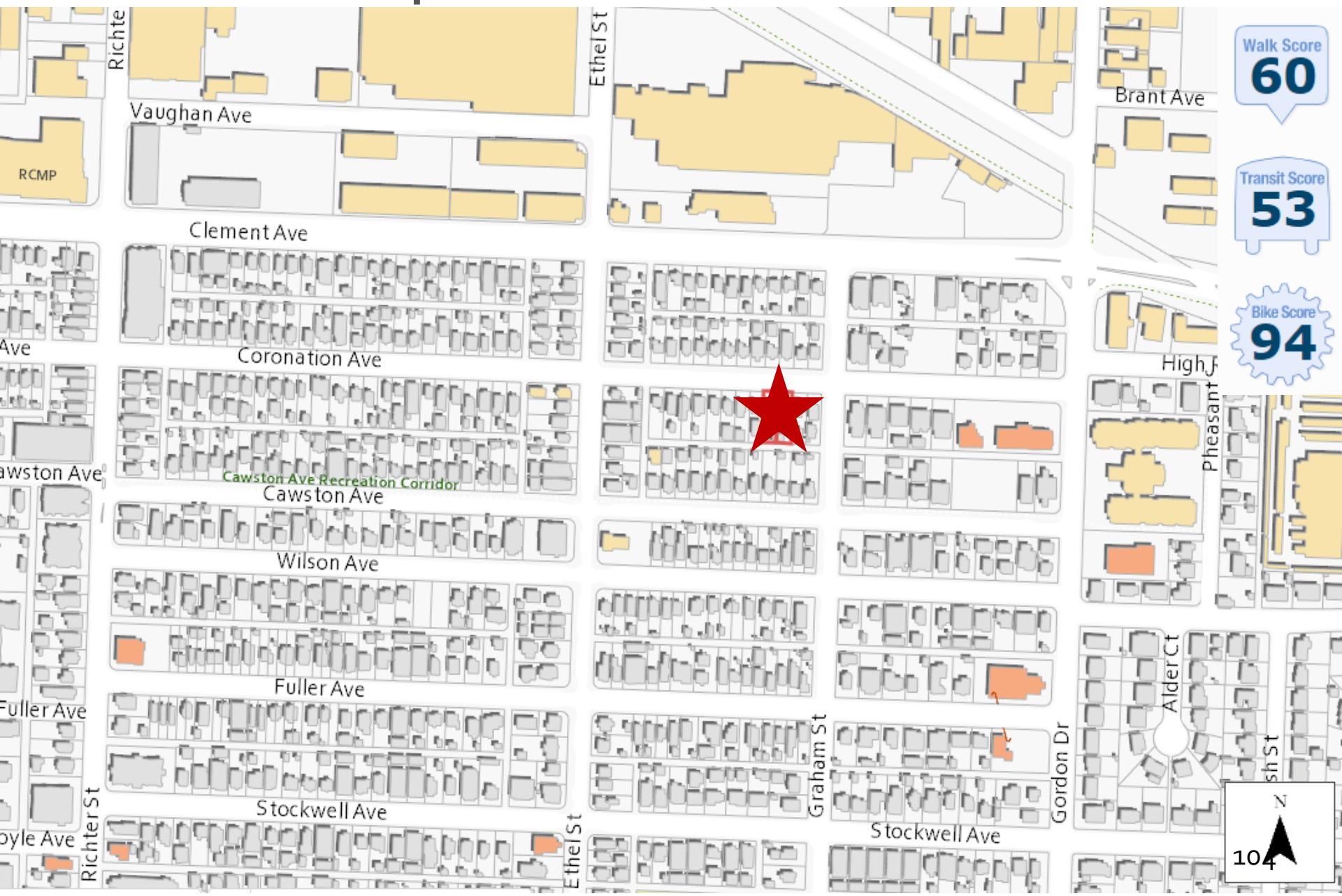


Building Permit



Council Approvals

Context Map



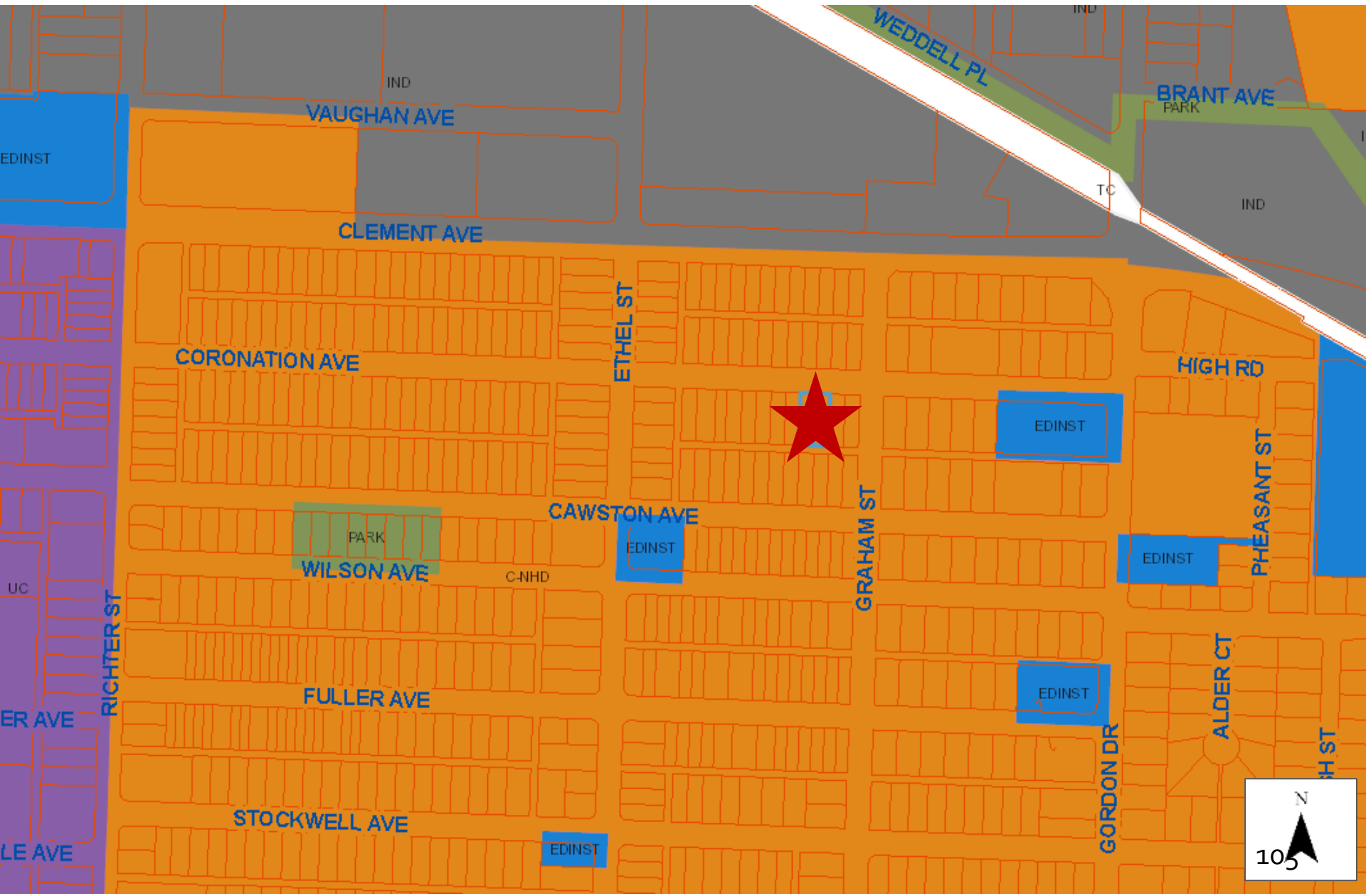
Walk Score
60

Transit Score
53

Bike Score
94

104
N

OCP Future Land Use



Subject Property Map

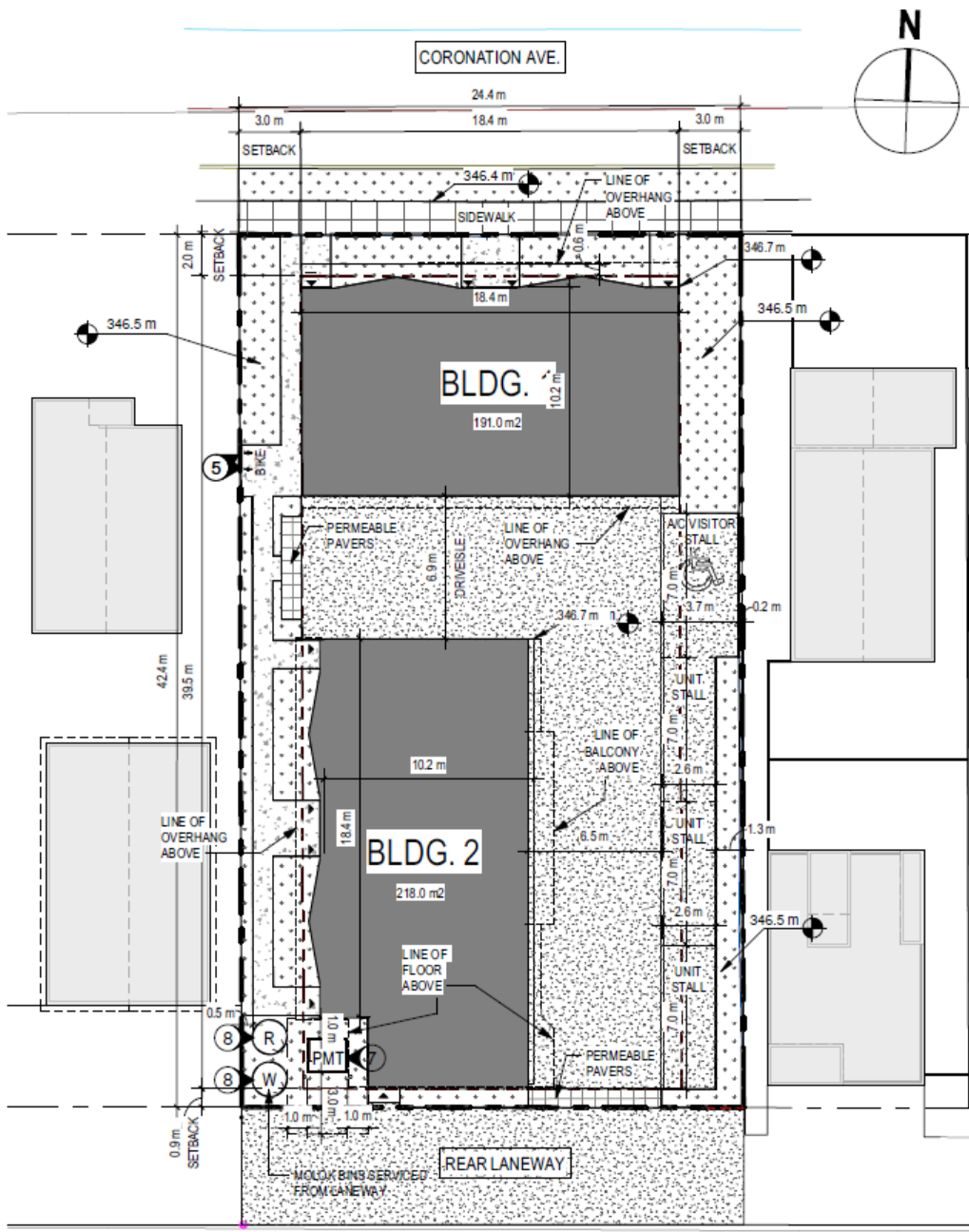


Project Details

- ▶ Townhouse Housing
 - ▶ 8 two-bedroom units
 - ▶ 1 bachelor unit
 - ▶ 3 storeys in height

- ▶ Access to individual garages provided from rear laneway

Draft Site Plan



OCP Objectives & Policies

- ▶ Policy 5.3.1 Ground Oriented Infill
 - ▶ Encourage gentle densification in the form of ground-oriented residential uses
- ▶ Policy 5.3.2 Transition from Transit Supportive Corridors
 - ▶ Provide a transition area allowing for 3-4 storeys in height serving as a transition from Transit Supportive Corridors to lower density residential areas
- ▶ Policy 5.11.1 Diverse Housing Forms
 - ▶ Encourage a diverse mix of low and medium density housing forms in the Core Area

Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning:
 - ▶ Future Land Use Designation: Core Area Neighbourhood
 - ▶ OCP Policies:
 - ▶ Policy 5.3.1 Ground-Oriented Infill
 - ▶ Policy 5.3.2 Transition from Transit Supportive Corridors
 - ▶ Policy 5.11.1 Diverse Housing Forms

REPORT TO COUNCIL



Date: February 27, 2023
To: Council
From: City Manager
Department: Development planning Department
Application: Z22-0074
Address: 1385 Graham Rd
Subject: Rezoning Application
Owner: Gurmit Singh Mann
Applicant: Urban Options Planning Corp.
Existing OCP Designation: C-NHD – Core Area Neighbourhood
Existing Zone: RU1 – Large Lot Housing
Proposed Zone: RU4 – Duplex Housing

1.0 Recommendation

THAT Rezoning Application No. Z22-0074 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 86 Section 22 Township 26 ODYD PLAN 19162, located at 1385 Graham Rd, 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 February 27, 2023.

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone to facilitate the construction of a second single detached dwelling.

3.0 Development Planning

Development Planning Staff support the proposed rezoning application to the RU4 – Duplex Housing zone to facilitate the construction of a proposed second detached dwelling on the subject property. The proposal meets the intent of the Official Community Plan (OCP) and the Future Land Use Designation of C-NHD – Core Area Neighbourhood, which speaks to the accommodation of single and two dwelling housing. The

application meets several OCP policies including ground oriented housing development and sensitive infill. 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 RU₄ – Duplex Housing zone is to facilitate the construction of a second detached dwelling at the rear of the property. The applicant has submitted a site plan showing the buildable area for the development. The existing garage will be demolished and replaced with the new development. The proposal has been designed with a shared 6.0 m width driveway to meet the maximum road frontage allowed. An existing mature ponderosa pine tree will be protected within the 7.5 m rear yard setback during construction. The application indicates the the proposed RU₄ zone is consistent with the OCP and the development concept can be constructed to meet all Zoning Bylaw regulations. Staff does not anticipate any significant negative impacts to the neighbouring properties.

4.2 Site Context

The subject property is located at the intersection of Mark Road and Graham Road, within Rutland. The surrounding area is primarily zoned RU₁ – Large Lot Housing, with scattered RU₄ – Duplex Housing zoned parcels. The property is in close proximity to Mission Creek Regional Park along Springfield Road.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU ₁ – Large Lot Housing	Single Detached Dwelling
East	RU ₁ – Large Lot Housing	Single Detached Dwelling
South	RU ₁ – Large Lot Housing & RU ₄ – Duplex Housing	Single Detached Dwelling & Duplex
West	RU ₁ – Large Lot Housing	Single Detached Dwelling

Subject Property Map: 1385 Graham Rd



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.3 Design residential infill to be sensitive to neighbourhood context	
Policy 5.3.1 Ground Oriented Infill	Encourage gentle densification in the form of ground-oriented residential uses such as houseplexes, townhouses and narrow lot housing to approximately 2 storeys, maintaining residential uses and setbacks that reflect the existing development pattern. Consider opportunities for greater height and massing at block ends and along Active Transportation Corridors as outlined in Figure 5.3.
	<i>The proposal considers low-density, ground-oriented housing that retains the existing dwelling. The proposed RU4 zone is consistent with the OCP and the development concept can be constructed to meet all Zoning Bylaw regulations. The addition of a second dwelling maintains the established neighbourhood pattern.</i>

6.0 Application Chronology

Date of Application Accepted: November 25, 2022

Date Public Consultation Completed: December 9, 2022

Report prepared by: Sara Skabowski, Planner I

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

CITY OF KELOWNA
MEMORANDUM

Date: December 20, 2022
File No.: Z22-0074
To: Planning and Development Officer (SS)
From: Development Engineering Manager (NC)
Subject: 1385 Graham Rd

ATTACHMENT A

This forms part of application
Z22-0074

Planner Initials SS


City of
Kelowna
COMMUNITY PLANNING

RU1 to RU4

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from RU1 – Large Lot Housing to RU4 – Duplex Housing to facilitate the construction of a second single detached dwelling on the subject property. The Development Technician for this file is Sarah Kelly (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. 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 lot is currently 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. Only one service will be permitted for each legal lot.

4. STORM DRAINAGE

- a. This property is located within an area identified by the City of Kelowna as possibly suited for groundwater recharge. The City will not permit infiltration to ground except for foundation drainage, unless safe use of infiltration is confirmed with submission, review, and acceptance 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.
- b. The Developer's consulting civil engineer must provide a stormwater management plan for the site, which meets all requirements of the Subdivision, Development, and Servicing Bylaw No. 7900. SWMP must include lot grading plan, minimum basement elevations (MBE), and onsite drainage systems.
- 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.

5. ROAD IMPROVEMENTS & SITE ACCESS

- a. Graham Rd is classified in the 2040 OCP as an Core Area Collector road and must be upgraded to an urban standard along the full frontage of the subject property. Required upgrades to include separated sidewalk, LED street lighting, burial of overhead wiring, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- b. 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 \$19,141.11 not including utility service cost.
- c. Only one driveway, with a maximum width of 6m, will be permitted.

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.
- b. 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).

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.

8. **CHARGES AND FEES**

- a. Development Cost Charges (DCC's) are payable.
- b. Fees per the "Development Application Fees Bylaw" include:
 - i. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
- c. Cash-in-Lieu of Construction Payments:

**Payment must be made with certified cheque or bank draft*

i)	Graham Rd Frontage Upgrades	\$19,141.11
ii)	Engineering and Inspection Fee <i>(3.5% of upgrade cost)</i>	\$647.16 <i>(\$616.34+30.82 GST)</i>


 Nelson Chapman, P.Eng.
 Development Engineering Manager

SK

ATTACHMENT B

This forms part of application

Z22-0074



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials **SS**

1385 GRAHAM ROAD

SITE PLAN

KELOWNA, BC

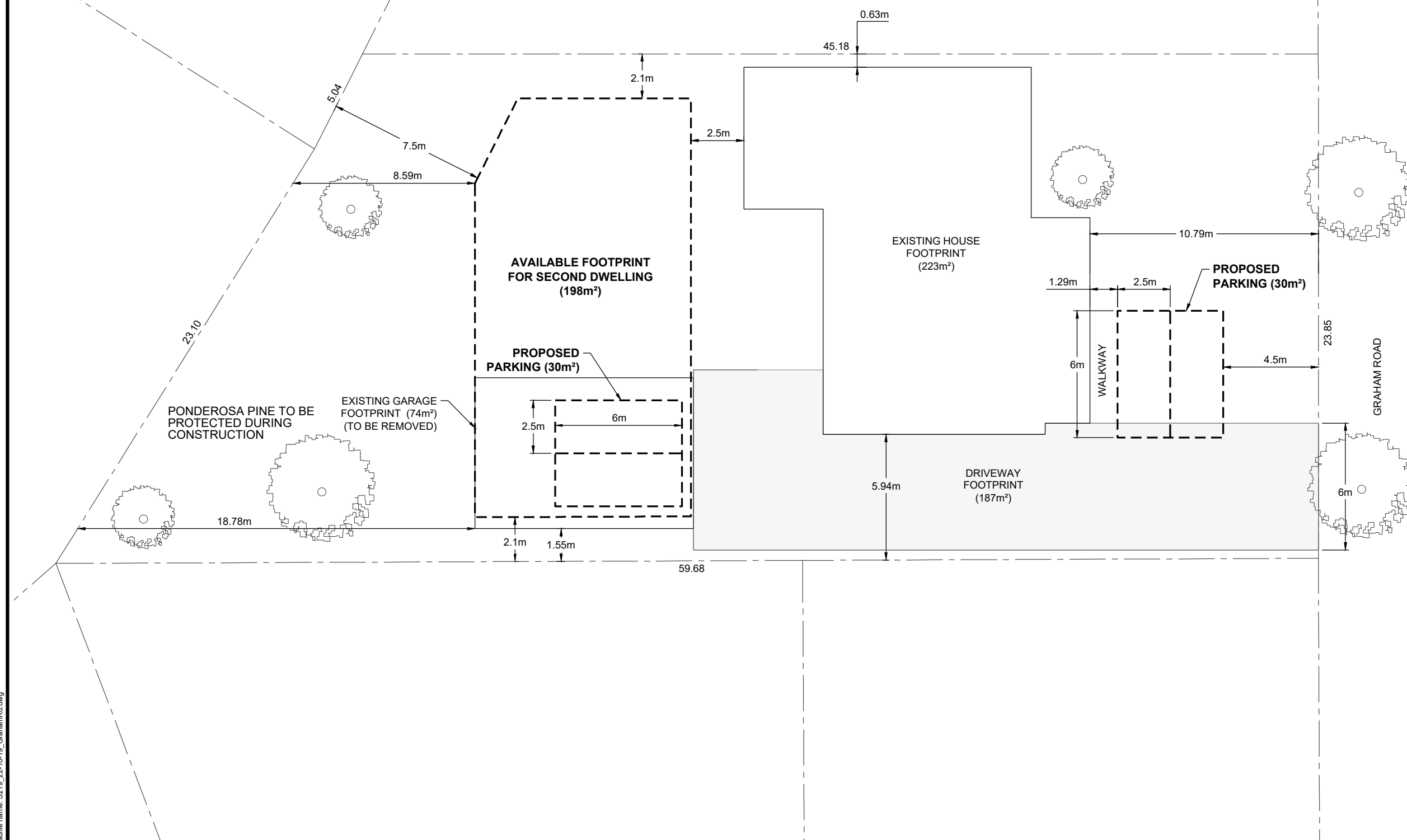
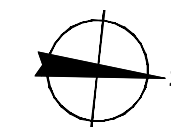
LEGEND

- Property Line
- Tree

Drawn: TM	Date: November 23, 2022
Checked: BD	Scale: 1:200
Drawing Number: S219_22-10-19 - 01 of 3	



Construction and Engineering Surveyors
Transport Canada Certified, Professional, Insured UAV Pilots
GIS and CAD Services
swiftaerialsurveys.ca



Caddfile name: S219_22-10-19_GrahamRd.dwg

ATTACHMENT B

This forms part of application

Z22-0074



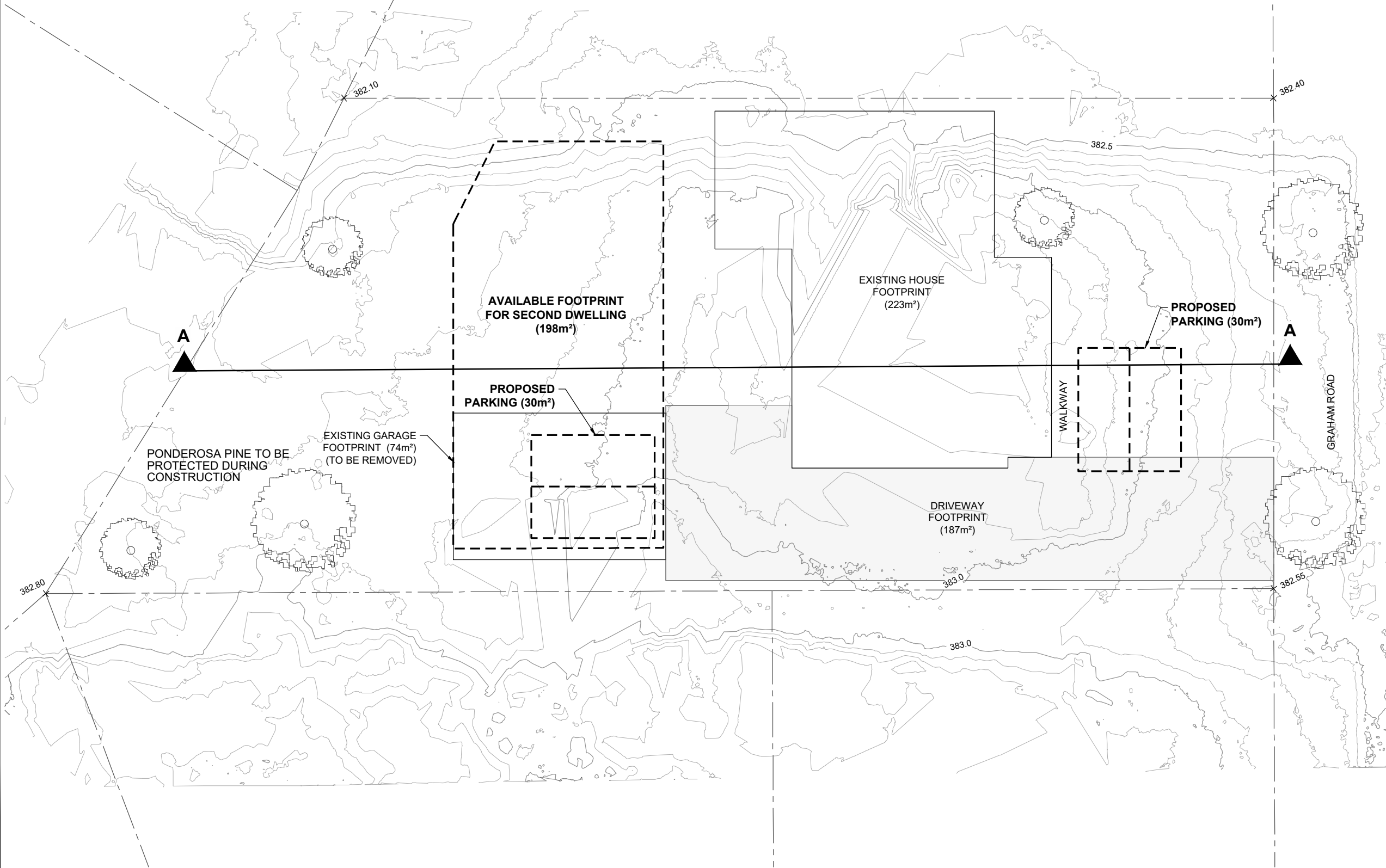
City of
Kelowna
COMMUNITY PLANNING

Planner
Initials **SS**

1385 GRAHAM ROAD

SITE TOPOGRAPHY

KELOWNA, BC



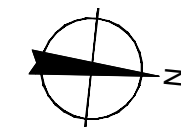
LEGEND

- Property Line
- Elevation Contour (0.5m Interval)
- Elevation Contour (0.1m Interval)
- Tree

Drawn: TM	Date: October 19, 2022
Checked: BD	Scale: 1:200
Drawing Number: S219_22-10-19 - 02 of 3	



Construction and Engineering Surveyors
Transport Canada Certified, Professional, Insured UAV Pilots
GIS and CAD Services
swiftaerialsurveys.ca



Cadfile name: S219_22-10-19_GrahamRd.dwg

CITY OF KELOWNA

BYLAW NO. 12485

Z22-0074

1385 Graham 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 86 Section 22 Township 26 ODYD PLAN 19162, located on Graham Rd, 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

Mayor

City Clerk



City of
Kelowna

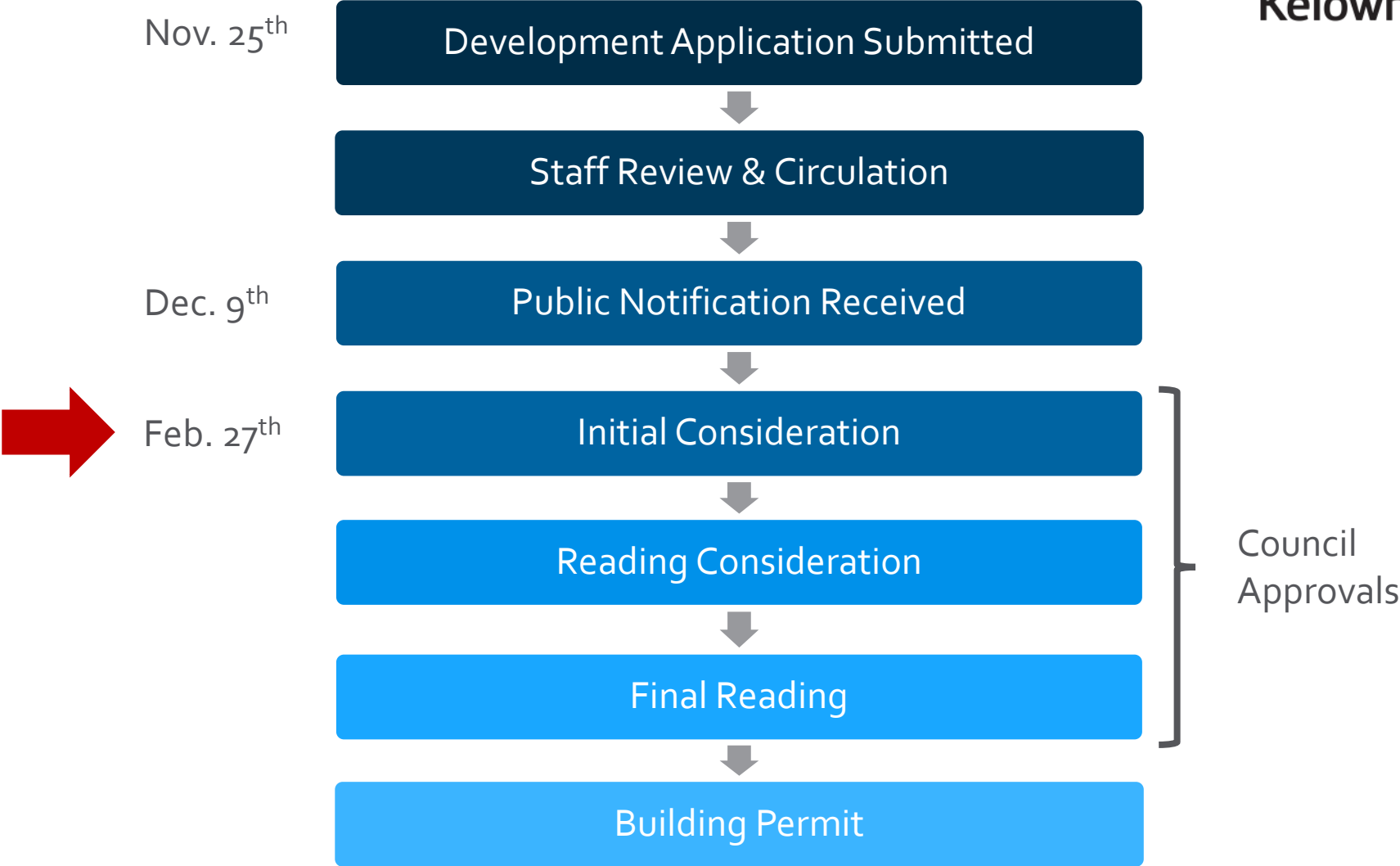
Z22-0074
1385 Graham Rd

Rezoning Application

Purpose

- ▶ To rezone the subject property from the RU₁ – Large Lot Housing zone to the RU₄ – Duplex Housing zone to facilitate the construction of a second single detached dwelling on the subject property.

Development Process

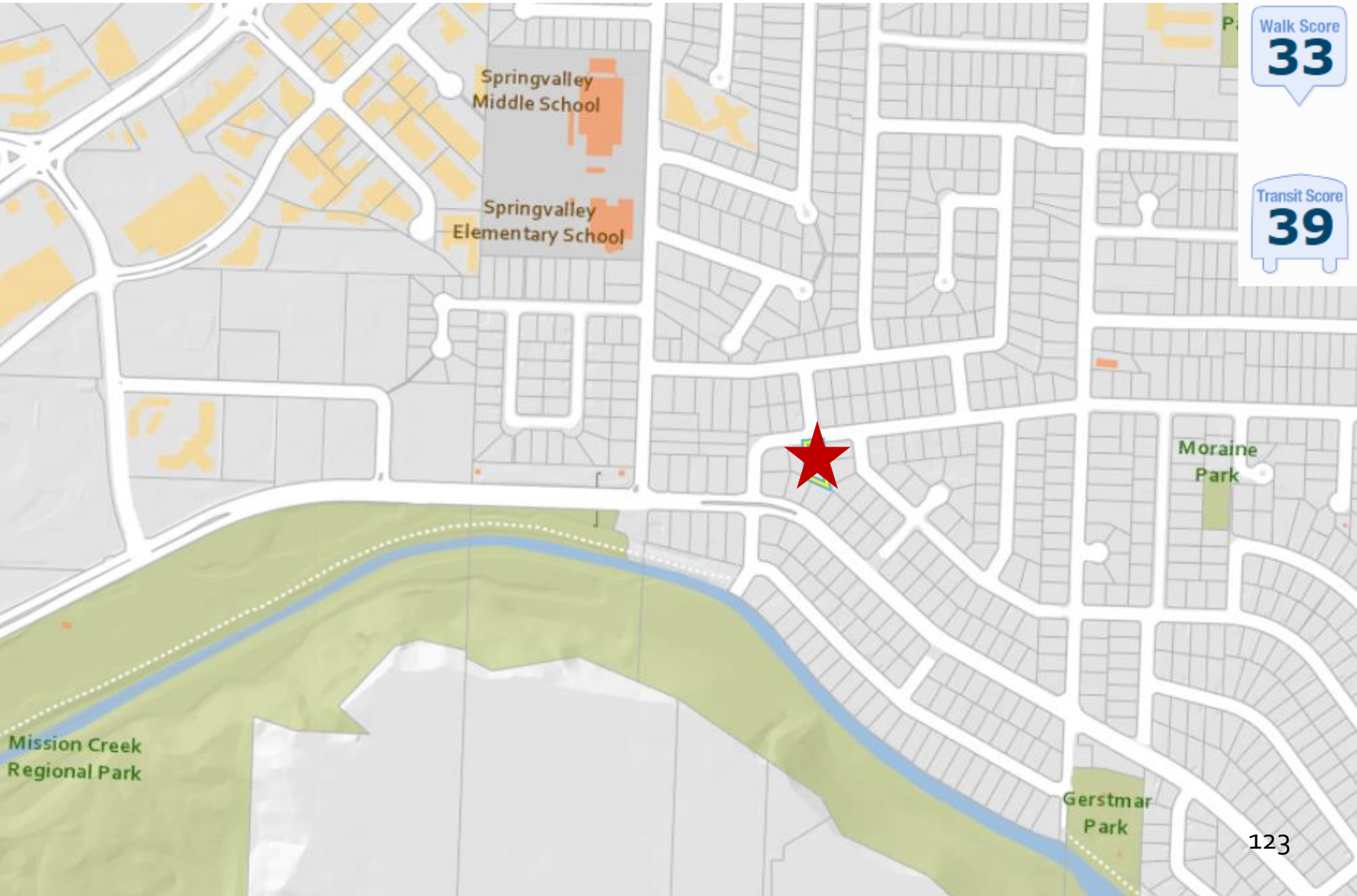


Context Map



Walk Score
33

Transit Score
39



OCP Future Land Use



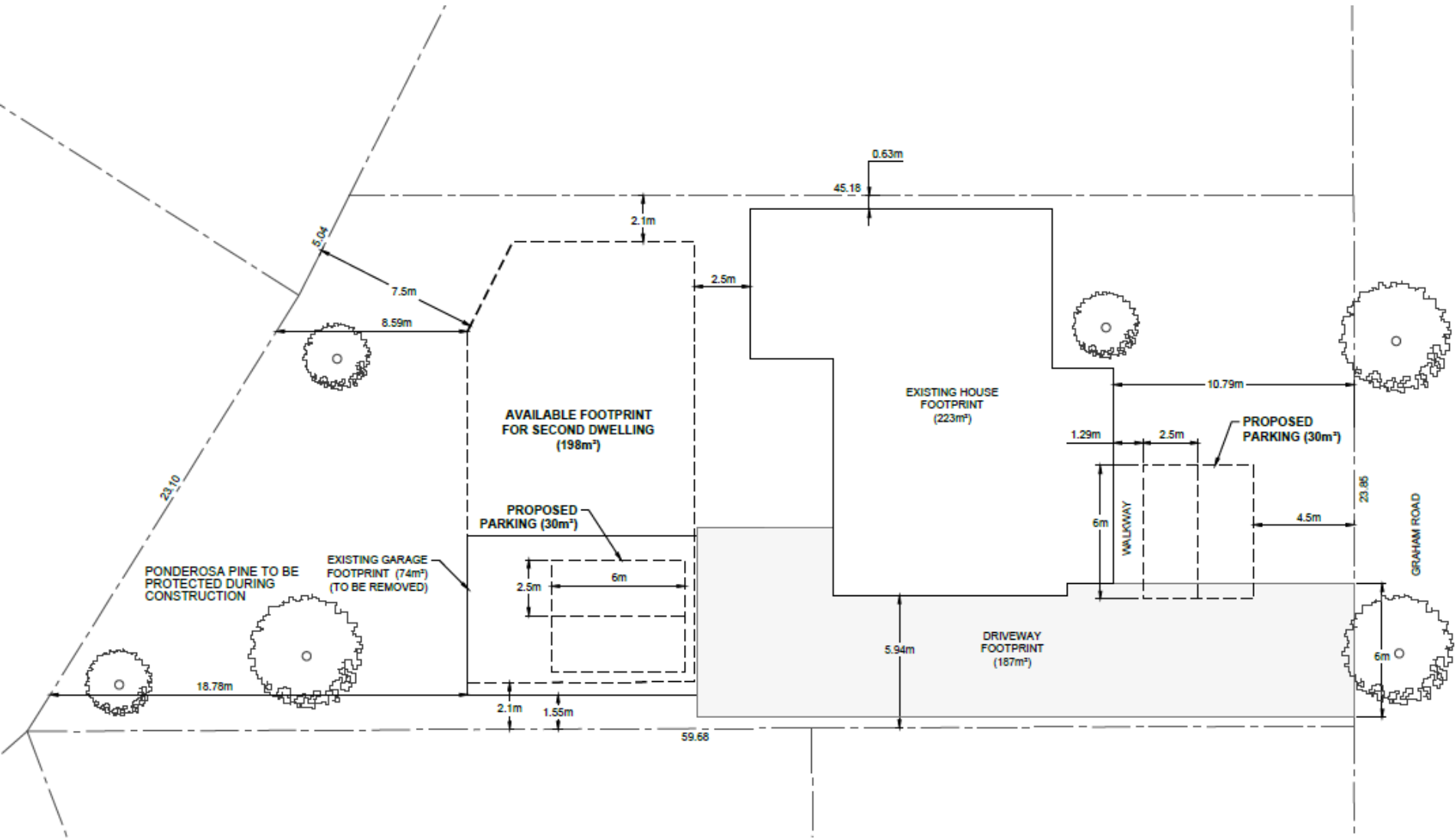
Subject Property Map



Project Details

- ▶ Core Area Neighbourhood (C-NHD)
- ▶ RU₄ – Duplex Housing
 - ▶ Second single detached dwelling at rear
 - ▶ Existing garage to be demolished and replaced
- ▶ Zoning Bylaw Regulations
 - ▶ Maintains setbacks
 - ▶ Tree to be protected during construction

Draft Site Plan



OCP Objectives & Policies

- ▶ Policy 5.3.1 Ground Oriented Infill
 - ▶ Low density
 - ▶ Houseplexes, townhouses, single detached dwelling
 - ▶ Sensitive infill

Staff Recommendation

- ▶ Staff recommend **support** for the proposed Rezoning as it is consistent with:
 - ▶ OCP Future Land Use C-NHD
 - ▶ OCP Objectives and Policies
 - ▶ Sensitive infill
 - ▶ Ground-oriented

REPORT TO COUNCIL



Date: February 27th, 2023

To: Council

From: City Manager

Department: Development Planning

Application: Z22-0045 **Owner:** Giovanni Lenza and Stonewood Development CORP., INC.NO. BC0671615

Address: 252 Temple Court **Applicant:** Paul M. Schuster

Subject: Rezoning Application

Existing OCP Designation: C-NHD – Core Area Neighbourhood

Existing Zone: RU₂ – Medium Lot Housing

Proposed Zone: MF₂ – Townhouse Housing

1.0 Recommendation

THAT Rezoning Application No. Z22-0045 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of LOT 19 SECTION 27 TOWNSHIP 26 ODYD PLAN 37210, located at 252 Temple Crt, Kelowna, BC from the RU₂ – Medium Lot Housing zone to the MF₂ – Townhouse 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 February 27th, 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 RU₂ – Medium Lot Housing zone to the MF₂ – Townhouse Housing zone to facilitate a townhouse development.

3.0 Development Planning

The Future Land Use Designation of the property in the 2040 Official Community Plan (OCP) is C-NHD – Core Area Neighbourhood, which supports a variety of ground-oriented housing types, including multi-unit housing. It is the intention of Core Area Neighbourhoods to accommodate much of the City’s future growth through sensitive infill. As such, the proposed MF2 – Townhouse Housing zone is consistent with the Future Land Use designation in the 2040 OCP.

4.0 Proposal

4.1 Background

The subject property currently contains one single-dwelling home, which would be demolished to facilitate this development.

4.2 Project Description

This application proposes a rezoning to the MF2 – Townhouse Housing zone, to facilitate a 17-unit family oriented Townhouse development. All units propose three bedrooms. Council consideration of a Form and Character Development Permit would be required, should the proposed rezoning be supported. The proposal meets all Zoning Bylaw development regulations and no variances are required.

4.3 Site Context

The subject property is located on the south end of Temple Crt, in the City’s Rutland OCP Sector. The surrounding area is characterized by single detached housing and townhouse housing. The lot area is 3629.4 m². The property is within the City’s Permanent Growth Boundary and has a Walkscore of 53, indicating that it is somewhat walkable.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Ru2 – Medium Lot Housing	Single Detached Housing
East	RU2 – Medium Lot Housing	Single Detached Housing
South	MF2 – Townhouse Housing	Townhouses
West	RU4 – Duplex Housing	Duplex Housing

Subject Property Map: 252 Temple Crt



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.3 Design residential infill to be sensitive to neighbourhood context	
Policy 5.3.6 Small Lot Development	To encourage residential infill development in Core Area Neighbourhoods and transition areas that reflect the existing neighbourhood context, discourage large lot consolidations except where properties front or directly abut a Transit Supportive Corridor, Active Transportation Corridor, or an Arterial Road. <i>This proposal is a single lot residential infill development.</i>
Objective 5.11 Increase the diversity of housing forms and tenure to create an inclusive, affordable and complete Core Area	
Policy 5.11.3 Family-Friendly Housing.	Incorporate ground-oriented units in the design of multi-family developments to support family-friendly housing types. Ensure that multi-family developments include a variety of unit sizes, encouraging 10 per cent of units to be three or more bedrooms. <i>The project proposes 3-bedroom ground-oriented townhouse units.</i>

6.0 Technical Comments

6.1 Development Engineering Department

See Attachment A – City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Accepted: August 15, 2022
Date Public Consultation Completed: February 1, 2023

Report prepared by: Alissa Cook, Planner I
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: Draft Site Plan
Attachment C: Applicants Project Rationale

**MEMORANDUM**

Date: July 15, 2022
File No.: Z22-0045
To: Planning and Development Officer (AC)
From: Development Engineering Manager (NC)
Subject: 252 Temple Ct RU2 to RM3

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from the RU2 – Medium Lot Housing to the RM3 - Low-Density Multi-Family zone. The Development Technician for this file is Sarah Kelly (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 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 are subject to the review and requirements from 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 located within the Black Mountain Irrigation District (BMID) service area. The developer is required to make satisfactory arrangements with BMID for all water and fire protection-related issues. All charges for service connection 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 BMID are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.

- c. The water system must be capable of supplying the domestic and fire flow demands of the project in accordance with the Subdivision, Development, & Servicing Bylaw No. 7900. Provide water flow calculations for this development to confirm bylaw conformance (150 L/s for apartments & townhouses).

3. SANITARY SEWER SYSTEM

- a. Our records indicate that the subject lot is currently 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 this development. Service must be complete with an inspection chamber and brooks box (as per SS-S7 & SS-S9), at the applicants cost.

4. STORM DRAINAGE

- a. Service connection to the City storm system, complete with onsite detention and flow control, is required for all multi-family land uses. The City will not permit infiltration to ground except for foundation drainage.
- b. The Developer's consulting civil engineer must provide a stormwater management plan for the site, which meets all requirements of the Subdivision, Development, and Servicing Bylaw No. 7900. SWMP must include lot grading plan, minimum basement elevations (MBE), and onsite drainage systems.
- 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.

5. ROAD IMPROVEMENTS

- a. Temple Ct is classified in the 2040 OCP as a Local road and must be upgraded to an urban standard where currently deficient. Required upgrades are to include single-side 1.5-1.8m monolithic sidewalk (east side preferred), LED street lighting where/if currently deficient, landscape restoration where necessary, and replacement/re-location or adjustment of utility appurtenances if required to accommodate the required construction.
- b. A cul-de-sac to Bylaw 7900 SS-R17 standard is to be constructed at the south end of Temple Ct and the respective land is to be dedicated to the City of Kelowna as public roadway. Upon demonstrated hardship, alternate configurations may be considered; the applicant's consulting civil engineer must provide turning movements to confirm an adequate turnaround for an HSU vehicle, a Statutory ROW must be registered in favour of the City to allow for the unobstructed turnaround movement of emergency and City operational vehicles, and a concrete letdown to SS-C7 standard must delineate the boundary between the SRW and private property.
- c. All Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IABC, 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.
- 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.
- b. 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.
- c. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

7. GEOTECHNICAL STUDY

- a. At time of Building Permit, 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 the items below:

ATTACHMENT		A
This forms part of application		
# Z22-0045		
Planner Initials	AC	 City of Kelowna COMMUNITY PLANNING

- 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. 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).
- 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.

ATTACHMENT		A
This forms part of application		
# Z22-0045		
Planner Initials	AC	 City of Kelowna COMMUNITY PLANNING

- 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.

Where walls are on the high side, the City's preference is that the walls remain setback and on private property. Where the walls hold up a public road, the City's preference is that additional dedication be provided, and the walls be owned by the City. Please design any geogrids or tie-backs so that they do not encroach into the required road ROW.

8. DEVELOPMENT RELATED ISSUES / SITE ACCESS

- a. Only one driveway will be permitted with a maximum width of 6m.
- b. Indicate the locations of the garbage and recycle bins on site and provide turning movements for an HSU vehicle to confirm maneuverability on site without requiring a reverse movement onto Temple Ct.

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 Works & Utilities 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 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.

ATTACHMENT		A
This forms part of application		
# Z22-0045		
Planner Initials	AC	 City of Kelowna COMMUNITY PLANNING

- 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, FEES, AND SECURITIES

- a. Development Cost Charges (DCC’s) are payable.
- b. Fees per the “Development Application Fees Bylaw” include:
 - i. Street Marking/Traffic Sign Fees: at cost (to be determined after design).
 - ii. Survey Monument Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iii. Engineering and Inspection Fee: 3.5% of frontage upgrades (plus GST).



Nelson Chapman, P.Eng.
Development Engineering Manager

SK

ATTACHMENT A

This forms part of application
Z22-0045

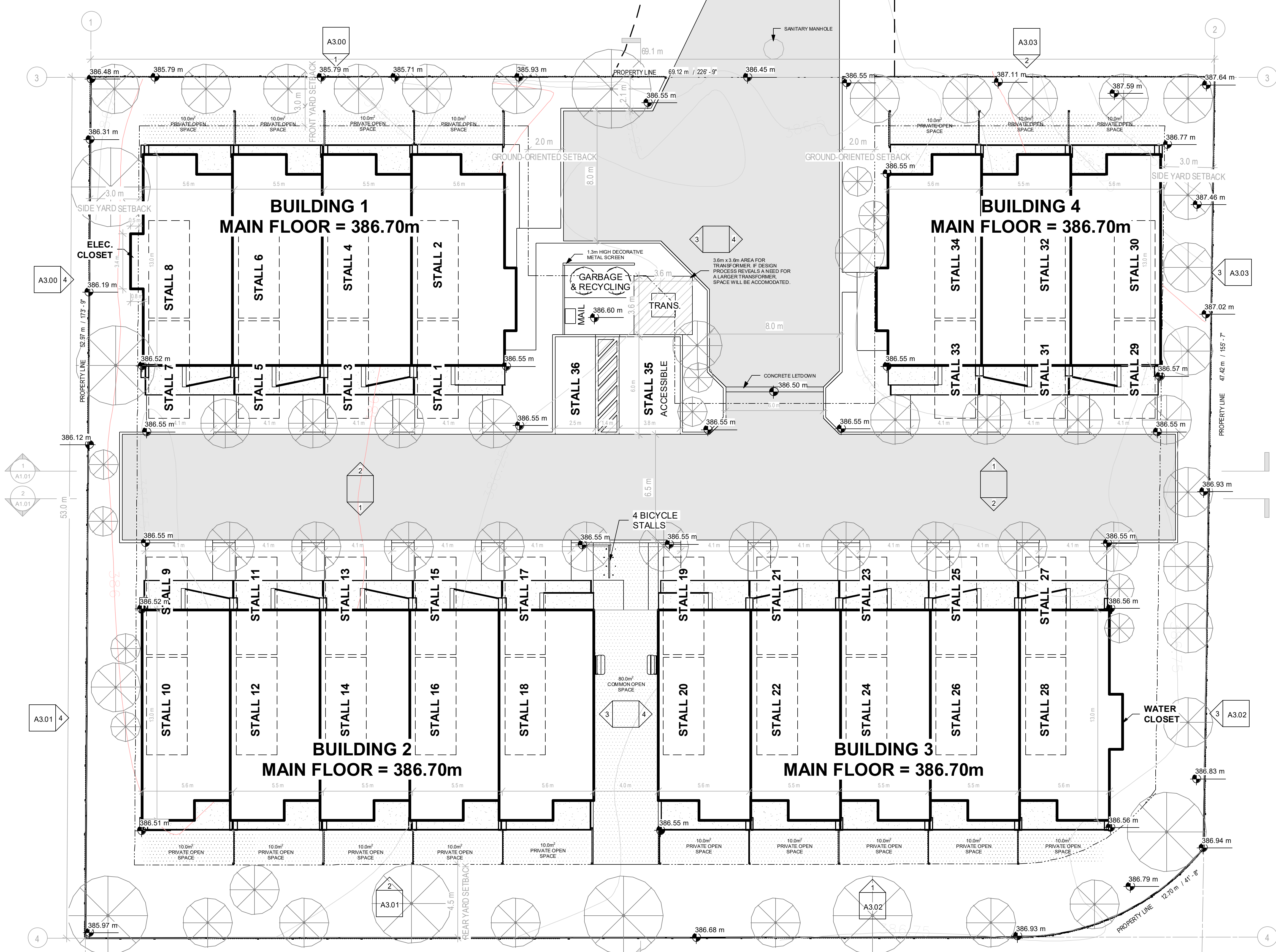
Planner Initials AC


City of
Kelowna
COMMUNITY PLANNING

ATTACHMENT B

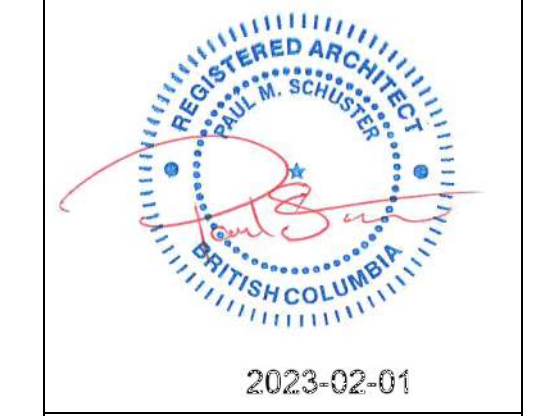
This forms part of application
Z22-0045

Planner Initials **AC**



1 SITE PLAN
3/32" = 1'-0"

Notes:
© Copyright Reserved. This drawing and design is, and all lines remain, the property of Novation Architecture Ltd. and can be reproduced only with written consent.
All drawings shall be read in conjunction with specifications and consultant details.
All work shall be carried out in accordance with Canadian standards, specifications BC Building Code (2018 edition) and local authority bylaws and regulations.
Tabulated scales refer to Arch D size drawings sheet.
This drawing must not be scaled.
Contractors shall verify all dimensions prior to commencement of work.
Any omissions or discrepancies shall be reported to the architect.

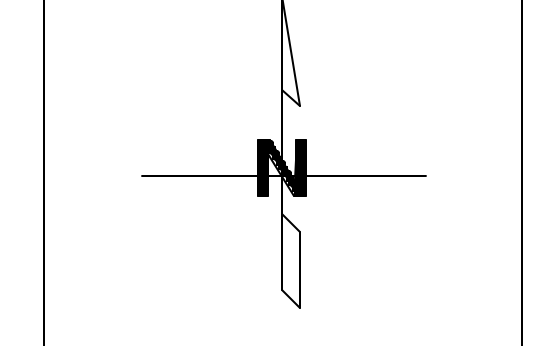


- this document is:
- NOT controlled. Revisions may be made without notice.
 - A CONTROLLED document. Revisions will be advised.
 - The first issue of the document.
 - A complete revision. Remove previous issues from use.
 - A partial revision. Remove previous issues of corresponding sheets / pages from use.
 - Not for Construction.

This document has been digitally certified with digital certificate and Encryption technology authorized by the Architectural Institute of BC and the Engineers and Geoscientists BC. The authoritative original has been transmitted to you in Digital form. Any printed version can be relied upon as a true copy of the original when supplied by the architect, bearing images of the professional seal and digital certificate, or when printed from the digitally-certified electronic file provided by the architect.

NOT FOR CONSTRUCTION

No.	Date	Description	Revisions
3	20230201	RE-ISSUED FOR DP	
2	20231005	RE-ISSUED FOR DP	
1	20220705	ISSUED FOR DP	



NOVATION ARCHITECTURE LTD.
302 - 2237 LECKIE ROAD
KELOWNA BC V1X 6Y5

project title
TEMPLE CRT TOWNHOUSES

252 TEMPLE CRT
project no. 2116

drawing title
SITE PLAN

designed	PS	scale	3/32" = 1'-0"
drawn	BD		
checked	PS		
drawing no.	A1.00		

plotted
2023-02-01 3:09:55 PM

July 5th, 2022

Our File: 2116

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

Attention: Lydia Korolchuk, Planner Specialist at City of Kelowna

Dear Mrs. Korolchuk,

Re: Development Permit / Rezoning for property located at 252 Temple Court



This development proposal will adhere to the requirements of the MF2 zone as described in the City of Kelowna Zoning Bylaw No. 12375.

Project Description

The current zoning for the site is RU2. With an OCP future land use designation of C-NHD, we are seeking a rezoning from RU2 to MF2 zone. The proposed project contains (4) 3-storey buildings for a total of (17) multi-family residential units on Temple Court. The housing consists of main level parking with 2 levels of residential above, providing (17) 3-bed and 2-bath units. There will be (2) ground-oriented units provided at the entrance to the site.

Design Rationale

The subject property is in close proximity to RM3 zoning in all directions and is very close to both Highway 97 and Highway 33. Along with being in a core neighbourhood, these factors make the property a viable candidate for the increased density of the MF2 zone. Additionally, with the property being as large as it is, we feel that MF2 is a much more practical zone for this location than RU2.

With access to the site being at the end of Temple Court, we have accommodated a turnaround on the property in the form of a hammerhead. This will be a significant improvement to the neighbourhood given the existing conditions of a dead-end road. We will be providing visitor parking, bike parking, mail box, and molok waste and recycling bins centrally on-site for convenient access to and from all residents.

The design consists of 4 buildings, each consisting of 3 storeys. Each unit contains 3 bedrooms and 2 bathrooms, and each unit is provided with both driveway and garage parking. The material selection for the project includes a combination of stucco and wood appearance siding. With these natural wood elements combined with some sensitive landscaping, and ground-oriented units flanking the entrance to the property, we believe that this design will be a great addition to the neighbourhood, creating an inviting and pedestrian friendly frontage to Temple Court.

Continued ...

We are seeking no variances as we feel that the development has been designed appropriately for the site and location.

I trust that you will find our application in good order. Please contact our office if you require any further information.

Kind Regards,

NOvation Architecture Ltd.



Paul M. Schuster, Architect
AIBC, CAB, MRAIC and NCARB Certified

(250) 718 - 1302
paul@novationarchitecture.com

ATTACHMENT	C
This forms part of application # Z22-0045	
Planner Initials	AC
 City of Kelowna COMMUNITY PLANNING	

CITY OF KELOWNA

BYLAW NO. 12486

Z22-0045

252 Temple Court

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 19 Section 27 Township 26 ODYD Plan 37210 located on Temple Court Kelowna, BC from the RU2 – Medium 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

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



City of
Kelowna

Application No. Z22-0045

252 Temple Crt

Rezoning Application

Purpose

- ▶ To rezone the subject property from the RU2 – Medium Lot Housing zone to the MF2 – Townhouse Housing zone.

Development Process

Aug 15, 2022

Development Application Submitted



Staff Review & Circulation



Feb 1, 2023

Public Notification Received



Feb 27, 2023

Initial Consideration



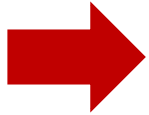
Notice of First Reading



Final Reading & Development Permit

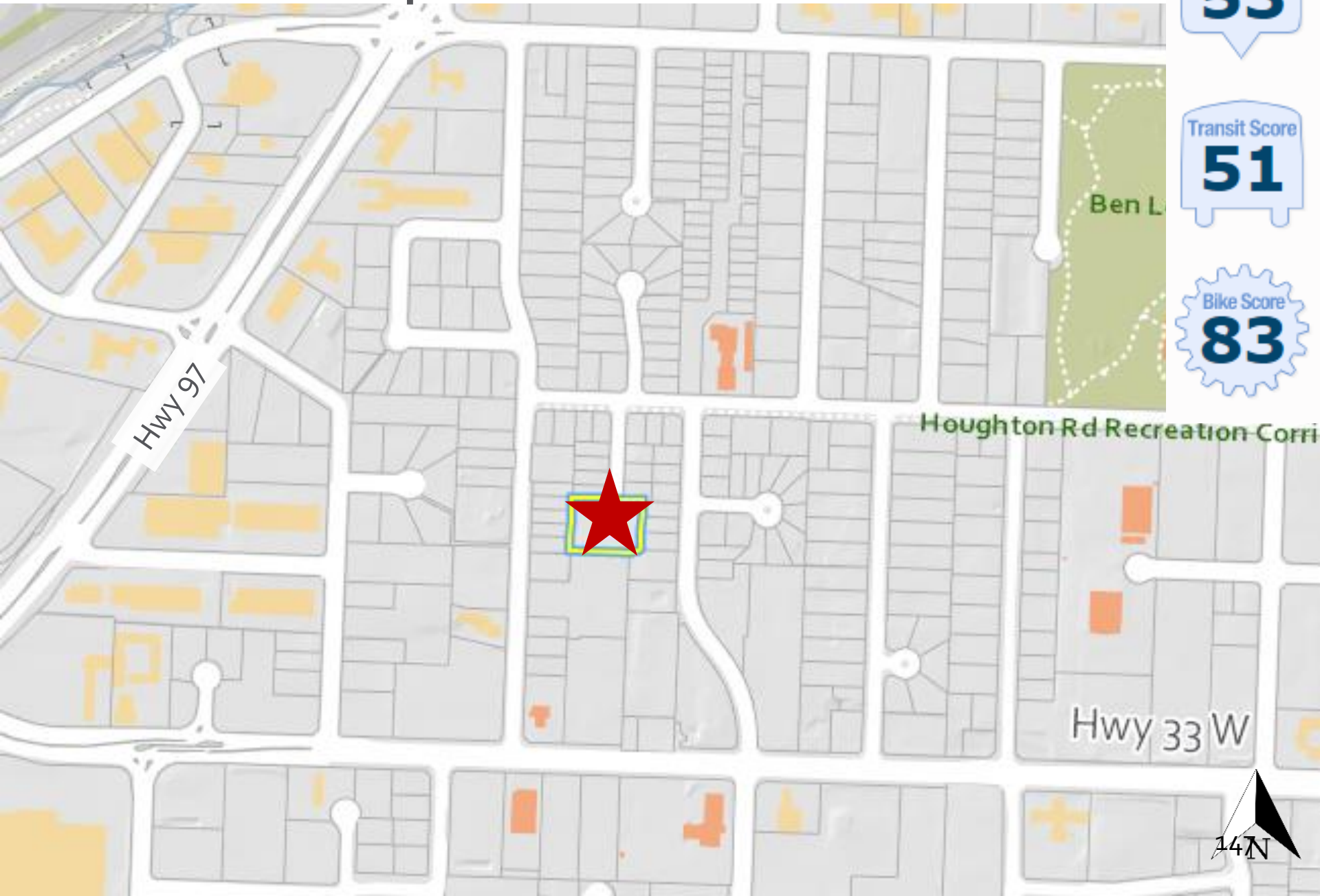


Building Permit



Council
Approvals

Context Map



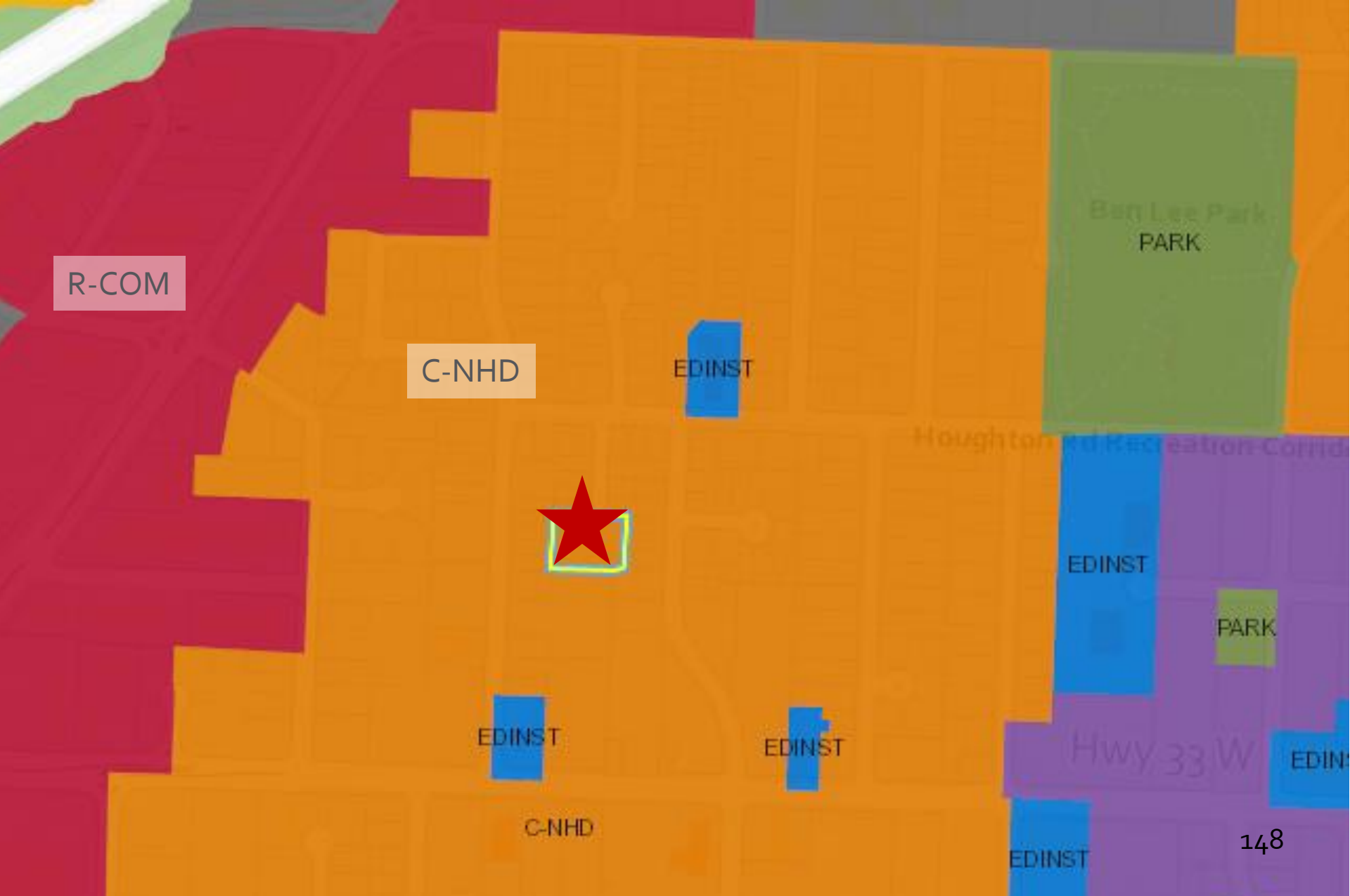
Walk Score
53

Transit Score
51

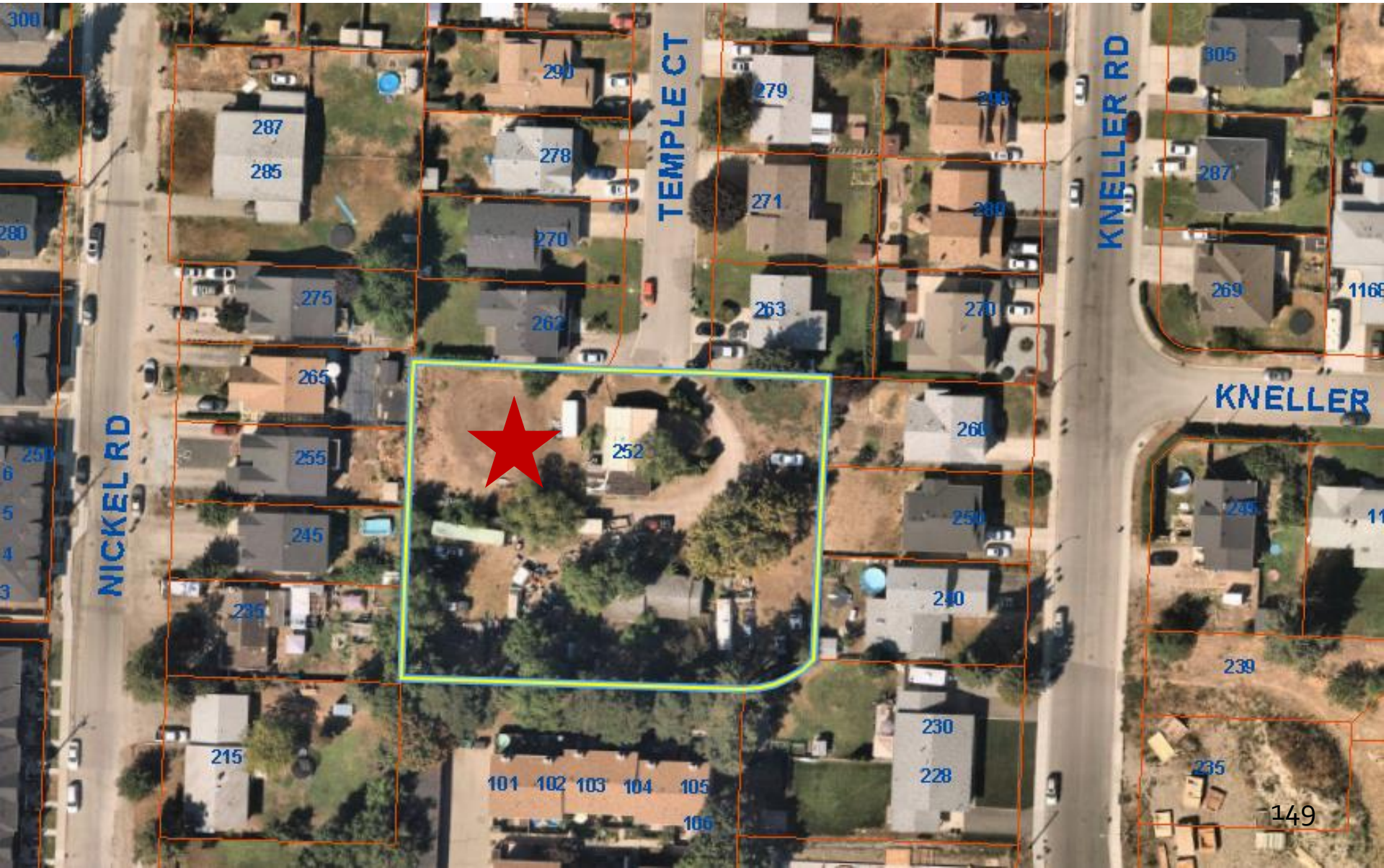
Bike Score
83



OCP Future Land Use



Subject Property Map



Land Use Details

- ▶ **C-NHD – Core Area Neighbourhood**
 - ▶ supports a variety of ground-oriented housing types, including small lot single detached housing, two-dwelling housing, secondary suites, carriage houses and ground-oriented multi-unit housing.
- ▶ **MF2 – Townhouse Housing**
 - ▶ a zone for ground-oriented multiple housing (typically townhouse developments) up to 3 storeys on serviced urban lots

OCP Objectives & Policies

- ▶ Policy 5.3.6 Small Lot Development
 - ▶ Encourage residential infill
- ▶ Policy 5.11.3 Family-Friendly Housing
 - ▶ Ground-oriented to support family-friendly housing

Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning as it is consistent with:
 - ▶ OCP Future Land Use C-NHD
 - ▶ OCP Objectives in Chapter 5 Core Area
 - ▶ Housing Diversity
 - ▶ 3-bedroom units
 - ▶ Development Permit to follow

REPORT TO COUNCIL



Date: February 27th, 2023

To: Council

From: City Manager

Department: Development Planning

Application: TA21-0014 **Owner:** Michael Georg Anton Holzhey

Address: 380 Lochview Rd **Applicant:** Urban Options Planning Corp.

Subject: Text Amendment Application

Existing OCP Designation: S-RES – Suburban Residential

Existing Zone: RR1 – Large Lot Rural Residential

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA21-0014 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule “A” attached to the Report from the Development Planning Department dated February 27th, 2023, for Lot A Sections 7 and 8 Township 23 ODYD Plan KAP88538 located at 380 Lochview Road, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment “A” attached to the Report from the Development Planning Department dated February 27th, 2023;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a road reserve covenant on the Title of the subject property for the area shown on Attachment “B”.

2.0 Purpose

To amend the Zoning Bylaw with a Site-Specific Text Amendment to increase the maximum number of sleeping units for a bed and breakfast and to allow additional permitted uses in the RR1 – Large Lot Rural Residential zone for the subject property.

3.0 Development Planning

Staff support the proposed site-specific Text Amendment application to increase the maximum number of sleeping units for a bed and breakfast and allowing additional permitted uses on the subject property. The bed and breakfast and proposed supplemental uses would allow for a unique, boutique luxury rental option

for visitors to Kelowna. The bed and breakfast would only allow for one rental group at any given time. All supplemental uses, including banquet and beverage services, recreational facilities, personal services, and a boutique winery, would be available to guests only and not the public, which should limit the number of trips to and from the property. The impacts on the neighbourhood are further mitigated by the large size (15.5ha) and topography of the property. There is also a significant grade different between the bed and breakfast and the adjacent residential properties.

The owners have agreed to register a road reserve in favour of the City to secure a portion of the property as a future waterfront park. The area (shown in Attachment B) currently does not have access; however, it borders a future park to the North. Eventual subdivision of the property to the north will create access to this area and eventually result in a larger waterfront park. This complies with Official Community Plan Policy which prioritizes acquisition of waterfront parks and encourages parks to be interconnected.

4.0 Proposal

4.1 Background

The principal dwelling was constructed in 2009 and is roughly 1,671.6m² (17,993ft²) in size and contains six bedrooms and eleven bathrooms. An accessory building (beach house) was constructed in 2008, and is 130m² (1399ft²) in size, which will be converted into two guest bedrooms and two bathrooms. A five-car garage was constructed in 2009 and will be converted into a boutique winery for the convenience of the guests.

A Business License was approved for a four-unit bed and breakfast on March 25th, 2022, and has been in operation since. If the application is approved by Council, the Business License would be amended to allow the additional uses and bedrooms.

4.2 Project Description

The proposed site-specific Text Amendment to the RR1 – Large Lot Rural Residential zone would allow the existing bed and breakfast operation to increase its sleeping capacity to eight sleeping units, with up to two guests per sleeping unit (16 guests in total). There will be six sleeping units in the main dwelling, along with two bedrooms and two full bathrooms in the accessory building. Two additional bedrooms will be created in the existing principal dwelling, which will be used for the owners of the property. Only one reservation would be permitted at any given time, meaning the entire property must be booked and individual rooms aren't rented separately.

The amendment also includes other uses that would be for the convenience of the guests including banquet and beverage services, meeting rooms, tennis courts, a boat dock, a swimming pool, a spa with sauna and steam room, a billiards room, theatre, and a boutique winery. The boutique winery will only be for the guests of the bed and breakfast and will require additional grapes to be planted on-site to support the wine production. No sales will be permitted to the public.

The applicant has indicated that the guests will typically be shuttled to/from the airport, however, there are up to 12 parking spaces on site. There are no exterior changes required onsite as part of the application, therefore the character of the dwelling will remain as it is today.

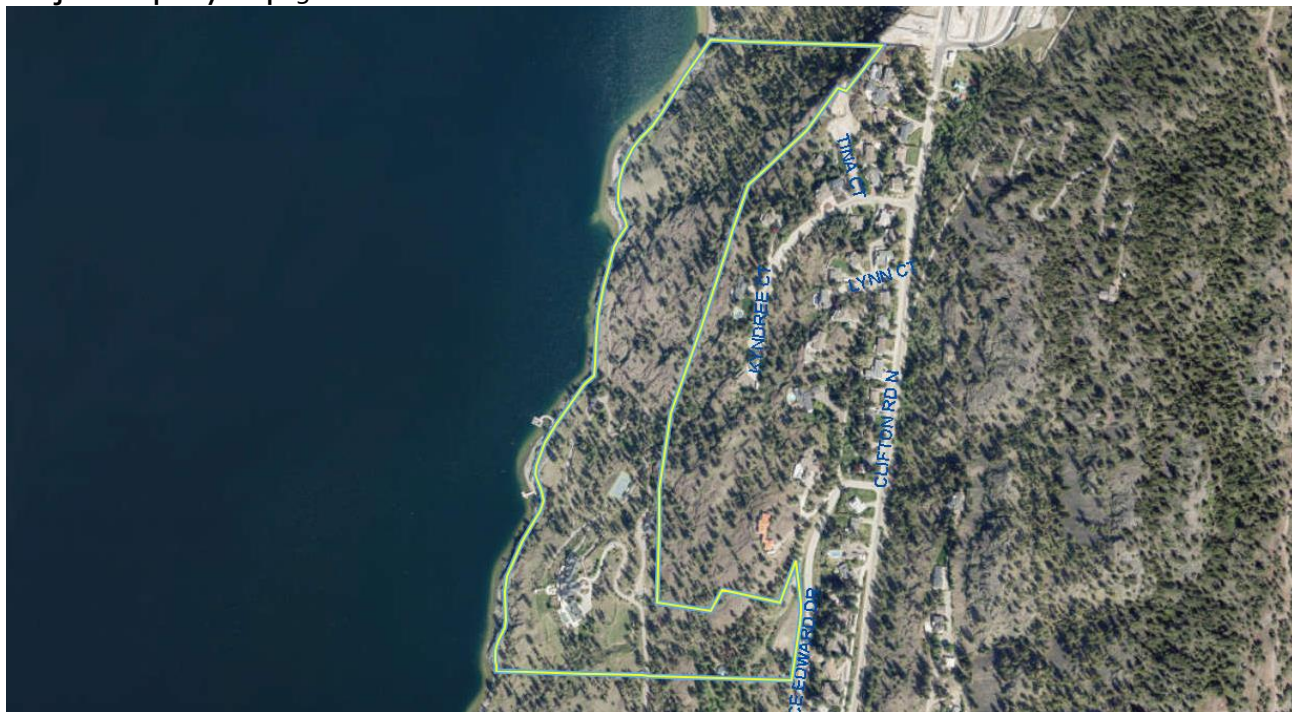
4.3 Site Context

The subject property is in North Clifton and is located on Okanagan Lake. The property is accessed by Lochview Road, which is an access easement off Clifton Road. The surrounding area is primarily zoned RR1 – Large Lot Rural Residential, RU1 – Large Lot Housing and P3 – Parks and Open Space.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 – Parks and Open Space	Vacant
East	RR1 – Large Lot Rural Residential and RU1 – Large Lot Housing	Single-Dwelling Housing
South	RR1 – Large Lot Rural Residential	Vacant
West	N/A	Okanagan Lake

Subject Property Map: 380 Lochview Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 10.1 Acquire new parks to enhance livability throughout the City.

Policy 10.1.3 Park Acquisition Priorities

Consider a balanced approach between all active park types when considering the acquisition of future parkland to acknowledge the wide diversity of park users and park needs:

- City-wide parks: provide lake or linear park access or hilltop views.
- City-wide and Recreation parks: are adjacent or connected to existing parks creating efficiencies by building adjacent existing infrastructure, such as playgrounds, washrooms, parking, and irrigation;
- Recreation parks: Maximize the use of limited large flat sites by providing additional fields and courts for the greatest demand and diversity of groups; and
- Community and Neighbourhood parks: serve growth, particularly in Urban Centres and the Core Area, and other areas of multi-family

	residential development characterized by limited private outdoor recreational space.
	<i>The proposal includes a future waterfront park that will be secured as a road reserve until the park is dedicated on the adjacent property.</i>
Objective 10.2. Ensure parks and public space are connected to each other and accessible for all citizens.	
Policy 10.2.1. Connected Parks	Maximize the value and accessibility of the parks network through landscaped and pedestrian-friendly connections. Link active parks, public spaces, natural areas, and the waterfront with green corridors including: linear parks, shared spaces, Active Transportation Corridors, public pathways and improved streetscapes and landscaping design.
	<i>The waterfront acquisition will connect and be accessed with the proposed park to the North to create a larger future waterfront park.</i>

6.0 Technical Comments

6.1.1 Development Engineering Department attached as Attachment "B".

7.0 Application Chronology

Date of Application Accepted: July 28th, 2021

Date Public Consultation Completed: September 7th, 2021, May 5th, 2022, and January 28th, 2023

Report prepared by: Tyler Caswell, Planner II

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:

Schedule A: Proposed Text Amendment

Attachment A: Development Engineering Memorandum

Attachment B: Proposed Road Reserve Location

Attachment C: Applicant Rationale

Schedule A – Proposed Site-Specific Text Amendments to Zoning Bylaw No. 12375 TA21-0014

No.	Section	Current Wording	Proposed Wording	Reason for Change						
1.	Section 10.7 – Site Specific Regulations, RR1 – Large Lot Rural Residential	N/A	<p>Section 10.7 – Site Specific Regulations Uses and regulations apply to the RR1 – Large Lot Rural Residential zone on a site-specific basis as follows:</p> <table border="1" data-bbox="701 472 1633 1511"> <thead> <tr> <th data-bbox="701 472 884 545"><i>Legal Description</i></th> <th data-bbox="884 472 1024 545"><i>Civic Address</i></th> <th data-bbox="1024 472 1633 545"><i>Regulation</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="701 545 884 1511">Lot A Sections 7 and 8 Township 23 ODYD Plan KAP88538</td> <td data-bbox="884 545 1024 1511">380 Lochview Road</td> <td data-bbox="1024 545 1633 1511"> <p><i>Notwithstanding, Section 9.3 Bed & Breakfast Homes, Section 10.3 Permitted Land Uses and Section 10.6 Development Regulations for Accessory Buildings, the following uses and regulations are permitted:</i></p> <ul style="list-style-type: none"> • <i>Agriculture;</i> • <i>Alcohol Production Facility, where onsite sales of alcohol can only be purchased by bed & breakfast guests;</i> • <i>Food Primary Establishments; Liquor Primary Establishments; Participant Recreation Services, Indoor; Participant Recreation Services, Outdoor; Personal Services Establishments, all for the bed & breakfast guests only;</i> • <i>A maximum of 8 sleeping units, with a maximum of two people in each sleeping unit;</i> <ul style="list-style-type: none"> ○ <i>One accessory building may have two of the eight sleeping units and two-full sized bathrooms. No cooking facilities permitted;</i> ○ <i>Only one reservation (on a temporary basis of less than 30 days) for any of the sleeping units is permitted at any given time.</i> </td> </tr> </tbody> </table>	<i>Legal Description</i>	<i>Civic Address</i>	<i>Regulation</i>	Lot A Sections 7 and 8 Township 23 ODYD Plan KAP88538	380 Lochview Road	<p><i>Notwithstanding, Section 9.3 Bed & Breakfast Homes, Section 10.3 Permitted Land Uses and Section 10.6 Development Regulations for Accessory Buildings, the following uses and regulations are permitted:</i></p> <ul style="list-style-type: none"> • <i>Agriculture;</i> • <i>Alcohol Production Facility, where onsite sales of alcohol can only be purchased by bed & breakfast guests;</i> • <i>Food Primary Establishments; Liquor Primary Establishments; Participant Recreation Services, Indoor; Participant Recreation Services, Outdoor; Personal Services Establishments, all for the bed & breakfast guests only;</i> • <i>A maximum of 8 sleeping units, with a maximum of two people in each sleeping unit;</i> <ul style="list-style-type: none"> ○ <i>One accessory building may have two of the eight sleeping units and two-full sized bathrooms. No cooking facilities permitted;</i> ○ <i>Only one reservation (on a temporary basis of less than 30 days) for any of the sleeping units is permitted at any given time.</i> 	To allow for a change to the RR1 – Large Lot Rural Residential zone to allow for 8 sleeping units (on a temporary basis of less than 30 days) and several personal services for the convenience of the guests.
<i>Legal Description</i>	<i>Civic Address</i>	<i>Regulation</i>								
Lot A Sections 7 and 8 Township 23 ODYD Plan KAP88538	380 Lochview Road	<p><i>Notwithstanding, Section 9.3 Bed & Breakfast Homes, Section 10.3 Permitted Land Uses and Section 10.6 Development Regulations for Accessory Buildings, the following uses and regulations are permitted:</i></p> <ul style="list-style-type: none"> • <i>Agriculture;</i> • <i>Alcohol Production Facility, where onsite sales of alcohol can only be purchased by bed & breakfast guests;</i> • <i>Food Primary Establishments; Liquor Primary Establishments; Participant Recreation Services, Indoor; Participant Recreation Services, Outdoor; Personal Services Establishments, all for the bed & breakfast guests only;</i> • <i>A maximum of 8 sleeping units, with a maximum of two people in each sleeping unit;</i> <ul style="list-style-type: none"> ○ <i>One accessory building may have two of the eight sleeping units and two-full sized bathrooms. No cooking facilities permitted;</i> ○ <i>Only one reservation (on a temporary basis of less than 30 days) for any of the sleeping units is permitted at any given time.</i> 								

SCHEDULE

A

This forms part of application
 # TA21-0013

Planner
Initials

TC



City of Kelowna
DEVELOPMENT PLANNING

CITY OF KELOWNA
MEMORANDUM

Date: August 5, 2021
File No.: TA21-0014
To: Planning and Development Officer (TC)
From: Development Engineering Manager (RO)
Subject: 380 Lochview Rd



The Development Engineering Branch has the following comments and requirements associated with this Site-Specific Text Amendment Application to add the use of “private guest estate”, which would allow up to 8 rooms to be rented on a temporary basis within the existing dwelling.

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.

2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject lot is located within the City of Kelowna water supply area. The existing lot is serviced with a 25-mm diameter water service. Only one service will be permitted per legal lot.
- b. If upgrading of the water service is required, the Applicant, at their cost, will arrange for the removal of the existing service and the installation of one new larger metered water service.
- c. Fire flow requirements for structures are to be calculated based on the worst-case requirement consistent with Section 3.2.5.7 of the BC Building Code. The FUS calculations provided at time of Building Permit for existing structure were completed under the occupancy type of “Residential”. Under the FUS framework that results in a Low Hazard classification, reducing the required fire flows. New FUS calculations will be required to be submitted which conform with the proposed land use.
- d. The private, on-site, fire suppression system for the subject lot must be re-assessed in terms of the new required fire flows.
- e. The current home includes an existing onsite automated sprinkler system. The NFPA 13 fire flow result for the worst-case building shall be the fire flow requirement on site. New calculations are required and must be submitted to confirm NFPA 13 requirements have been met.

3. SANITARY SEWER SYSTEM

- a. The subject lot is currently not within the City sanitary sewer service area. Sanitary sewage is presently handled by an on-site sewage disposal system.
- b. Proposed on-site servicing will require review and approval by the Interior Health Authority and Building & Permitting.



Ryan O'Sullivan
Development Engineering Manager

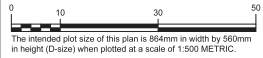
SK

ATTACHMENT		A
This forms part of application		
# TA21-0014		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

REFERENCE PLAN OF PART OF LOT A, SECTIONS 7 AND 8, TOWNSHIP 23, ODYD, PLAN KAP88538.

PLAN EPP122265

PURSUANT TO SECTION (99)(1)(e) OF THE LAND TITLE ACT AND SECTION 44 OF THE COMMUNITY CHARTER.
BCGS 82E.093
SCALE 1:500 METRIC

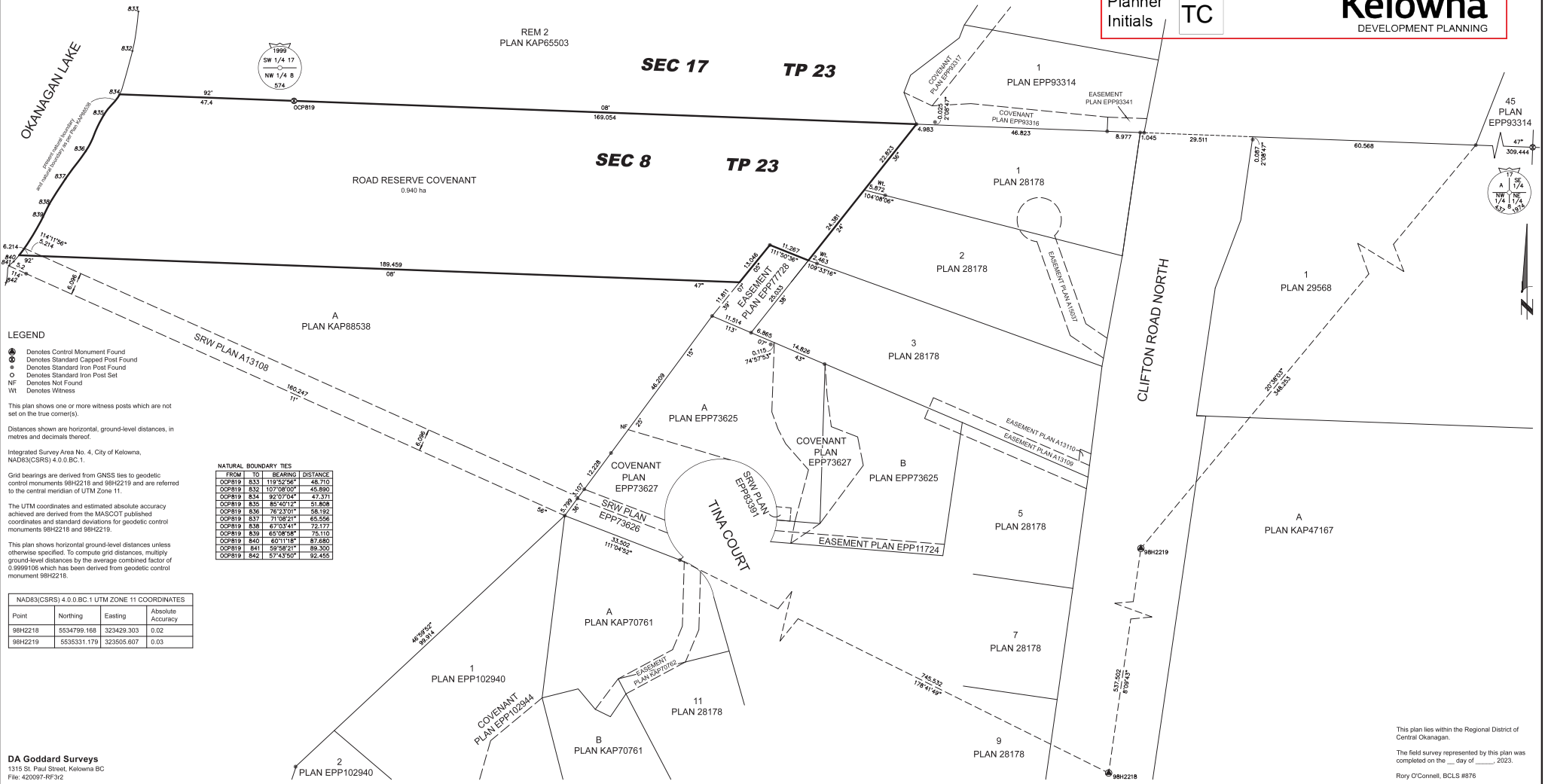


ATTACHMENT B

This forms part of application
TA21-0014

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING



LEGEND

- Denotes Control Monument Found
- ⊕ Denotes Standard Capped Post Found
- ⊙ Denotes Standard Iron Post Found
- ⊖ Denotes Standard Iron Post Set
- NF Denotes Not Found
- W Denotes Witness

This plan shows one or more witness posts which are not set on the true corner(s).

Distances shown are horizontal, ground-level distances, in metres and decimals thereof.

Integrated Survey Area No. 4, City of Kelowna, NAD83(CSRS) 4.0.0.BC.1.

NATURAL BOUNDARY TIES

FROM	TO	BEARING	DISTANCE
OCPR19	833	119°52'56"	48.710
OCPR19	832	107°08'00"	45.890
OCPR19	834	92°07'04"	47.371
OCPR19	835	69°40'12"	51.868
OCPR19	836	76°23'01"	56.192
OCPR19	837	71°08'21"	65.556
OCPR19	838	47°03'41"	72.177
OCPR19	839	60°08'58"	75.110
OCPR19	840	60°11'18"	87.680
OCPR19	841	59°56'51"	89.300
OCPR19	842	57°43'50"	92.455

NAD83(CSRS) 4.0.0.BC.1 UTM ZONE 11 COORDINATES

Point	Northing	Easting	Absolute Accuracy
98H2218	5534799.168	323429.303	0.02
98H2219	5535331.178	323505.607	0.03

DA Goddard Surveys
1315 St. Paul Street, Kelowna BC
File: 420097-RF32

This plan lies within the Regional District of Central Okanagan.
The field survey represented by this plan was completed on the ___ day of ___ 2023.
Rory O'Connell, BCLS #876



May 2, 2022 *updated February 2023*

City of Kelowna
Attn. Tyler Caswell
Urban Planning Department
1435 Water Street
Kelowna, BC

Application for Text Amendment at 380 Lochview Road

Dear Tyler,

This application seeks a text amendment to allow an expanded Bed and Breakfast at the subject property. Given the uniqueness of this home, property, and grounds, our team and planning staff worked to find an appropriate structure for the text amendment. The original application sought a site-specific Text Amendment to include the use of Private Guest Estate to the Zoning Bylaw. However, upon further evaluation, the direction provided changed to revising the “Bed and Breakfast” definition. In the final review prior to crafting the report for Council’s consideration, the direction has shifted slightly to amending section 10.7- Site Specific Regulations of the RR1-Rural Residential Zone. Specifically, we are seeking to include the following:

1. Enhance the Bed and Breakfast regulation to allow 8 guest rooms with a maximum of 2 persons per bedroom. This is to include the 2 guest rooms in the beach house.
2. Include private facilities such as dining, banquet, beverage, meeting rooms, recreational facilities, and personal services for the convenience of the guest in the Bed and Breakfast use.
3. Include the Agriculture use to allow for a boutique winery.
4. Expand the accessory structure regulations to allow the existing beach house to include 2 full bathrooms and 2 bedrooms. No cooking facilities are being proposed, only a wet bar.
5. Allow only one reservation at a time.

Although our initial discussion with planning staff revolved around creating a new site-specific definition, after much deliberation we have returned to revising the “Bed and Breakfast” use to allow 8 sleeping rooms for this property. With the introduction of the new Zoning Bylaw 12375, the zone for the land changed to the RR1 – Large Lot Rural Residential zone. The purpose of the new zone is “...country residential development on large lots that permit more rural land uses, minor agricultural...” Bed and Breakfast is a permitted secondary use in the zone with Urban Agriculture (vineyards) and Single Detached housing as principal uses.

ATTACHMENT	C
This forms part of application	
# TA21-0014	
Planner Initials	TC
 City of Kelowna DEVELOPMENT PLANNING	

The Vision

Our goal is to expand the Bed and Breakfast capacity of the existing single-family residence at 380 Lochview Road to 8 guest rooms. The residence would become a private guest estate, providing luxury visitor accommodation not currently found within Kelowna's city limits. Research showed that there are no private guest homes apart from personal residences which require a minimum 30-Day rental. Kelowna has limited high end hotel accommodations; the aim of the guest estate is to provide a location for individuals who demand luxurious private accommodations as an option with suitable amenities. The application materials include some additional details on the vision.

Although the 'use' will be a "Bed and Breakfast", we would like to clearly articulate what is being offered to the guests and how this mode of hospitality greatly differs from a commercial "hotel" use. The intent is to create private and exclusive accommodations with 'a home away from home' experience for a single group of guests. Although the guests are visiting from around the world, it is anticipated that they will fit into the fabric of the neighbourhood, while enjoying the privacy of this exceptional home and property. The term estate was deliberately chosen to establish "an extensive area of land in the country, usually with a large house, owned by one family or organization".¹

Planning Details

The Property and Agricultural Activity

The landowner purchased the site and developed the residence as the permanent home for himself and family. The house was designed by Meiklejohn Architecture and constructed by Team Construction to the highest standards including sound proofing between the rooms and full sprinkler systems with interconnected fire alarms. The home is 1,394m² (15,000 sq. ft.) in size with 6 bedrooms and ensuite bathrooms. The property also includes a beach house which will be converted to have 2 bedrooms. The home is run with many energy efficiencies including geothermal.

The property has over an acre of wine grape production that are grown for a local winemaker. Our client is currently preparing and planting additional Pinot Noir vineyards on the site and the neighbouring property (same owner). Approximately 95% of the property is uncultivated in a natural state attracting many animals such as deer and various birds.

Access and Egress

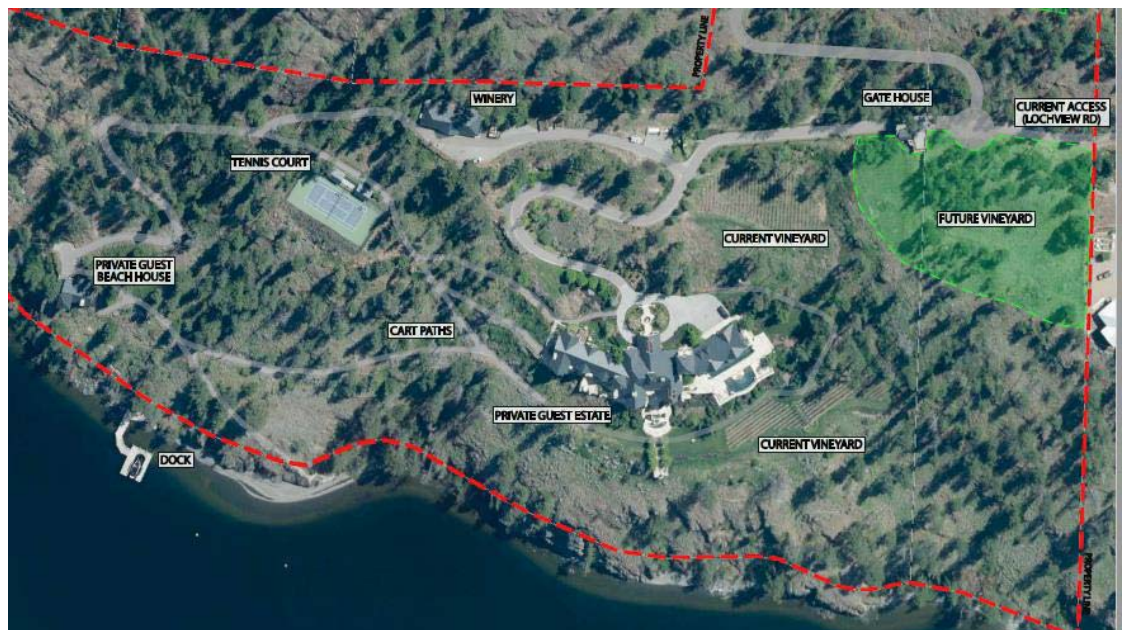
The home is currently accessed through an easement that terminates at 380 Lochview Road. Guests will be shuttled to and from the property using chauffeured estate-owned vehicles (maximum of 4 vehicles), therefore guest traffic coming to and from the property will be similar to a standard Single-Family Dwelling. It is anticipated that employee and contractor traffic will remain at current levels. Given that the guests will be shuttled to and from the airport and any excursions, it is not expected that there will be a large demand for parking. However, the property can accommodate 12 parking stalls on the site. See the site plan for their locations.



¹ <https://dictionary.cambridge.org/dictionary/english/estate>

Location Suitability

Very little additional development will be required to allow for an expanded bed and breakfast use. As seen in the photo to the right, all the amenities which will be offered to the guests were constructed as part of the existing residence.



Development required by this proposal is limited to:

- The existing space above the garage will be converted into a caretaker unit,
- The beach house will be formalized to have 2 bedrooms,
- The detached shop/garage will be renovated into a private boutique winery (open only to guests of the estate).

At 38 acres in size, the property is unique in its size and privacy with the following features:

- Okanagan lake borders over 900m to the west.
- No neighbours to the north. The abutting land is zoned for Park use.
- The property is separated by large rock outcrops, densely forested areas and over 100m in elevation to the neighbours to the east.
- The nearest neighbouring property is 140m to the south. The landowner recently purchased a natural six-acre lot at 346 Lochview Road to serve as a substantial buffer. This land is being prepared as a vineyard to further aid as a buffer.

The residential portion of the site is concentrated in the southwest corner of the lot with generous setbacks to the lake and the neighbouring property. Care was taken to immaculately landscape the property, integrating natural local plant species around the dwelling, and leaving much of the remainder of the property in a managed natural state.

The Bed & Breakfast will be managed by a licensed operator who resides at the site and employees who are there to serve the visitors while ensuring that peace of the guests and neighbours is maintained.



Amenities

The home was constructed with many amenities, including a tennis court, a boat dock, swimming pools, a spa with sauna and steam room, a billiards room, theater, indoor and outdoor fireplaces, and many terraces to enjoy views and natural surroundings. These amenities will be available to the guests while visiting the home.

Supporting Documentation

The *Kelowna 2040 Official Community Plan* supporting statements:

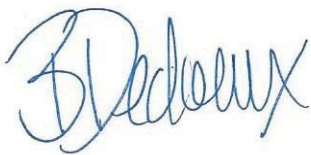
The local economy began to shift in significant ways during this time as well. Kelowna's industrial base began to diversify, its tourism appeal grew in new directions, and the wine industry began to add a new complexity to both agriculture and tourism. More recently, the high-tech sector has strengthened in new links between the city and distant centre. Chapter 2 Planning Context.

While Kelowna is home to the largest population in the Interior Region, over 55% of the land base is dedicated to agriculture and rural uses. For residents and visitors of Kelowna, agriculture is one of the defining features of the city and drives a significant amount of economic activity and tourism. Produce from the Kelowna region has developed a national and international reputation and the wine industry is continuing to grow. Chapter 8 Rural Lands.

A supplemental colour description of the home, concept and other interesting details is provided as part of this application. Given the uniqueness of the property and the surroundings, we believe the requested site-specific text amendment to Zoning Bylaw 12375 Section 9.3.1(a) Bed and Breakfast use is a creative "Made in Kelowna" approach to provide luxury accommodations to a discerning clientele.

We look forward to discussing the Text Amendment with you directly.

Regards,



Birte Decloux, RPP MCIP
Urban Options Planning Corp.



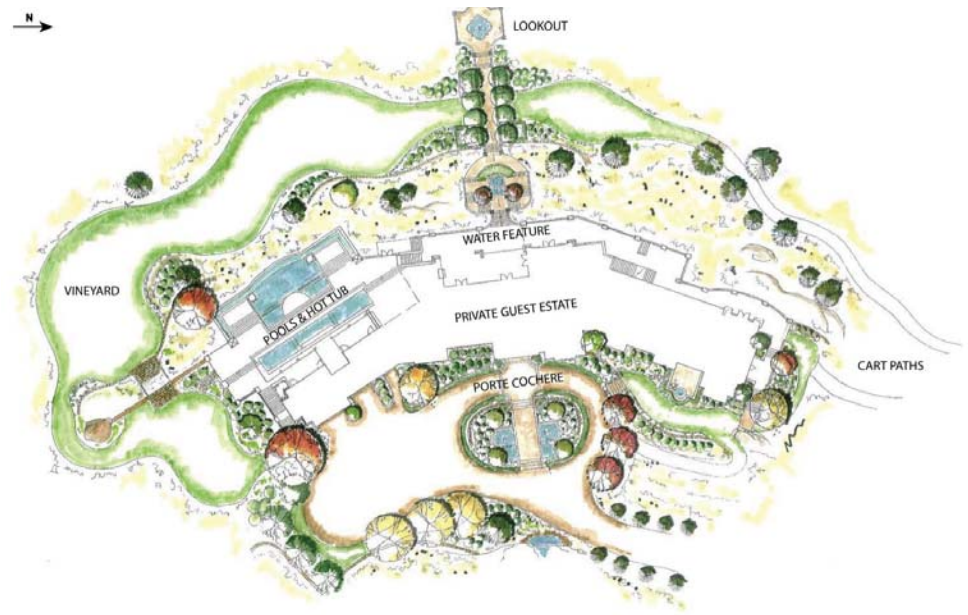
380 Lochview

Private Guest Estate
Kelowna, B.C.



Owner's Vision

Our client proposes to refashion Kelowna's most luxurious residence into a world-class *Private Guest Estate*. As a Private Guest Estate, 380 Lochview will deliver an exclusive five-star hospitality experience not currently available to visitors of Kelowna or elsewhere in the Okanagan. Our region's climate, natural beauty and wineries have put Kelowna on the map as a global destination; however, no other accommodation in our city meets the expectations for privacy and elevated experiences demanded by niche tourists. This property will provide a platform of luxury for those that expect the very best to explore Kelowna and the Okanagan Valley.



ATTACHMENT C
This forms part of application
TA21-0014

Planner Initials **TC**

City of **Kelowna**
DEVELOPMENT PLANNING



ATTACHMENT c
This forms part of application
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Planner Initials TC

City of Kelowna
DEVELOPMENT PLANNING

Why a Private Guest Estate?

The owner takes great pride and personal ownership in the care and detail required to construct and maintain an estate of 380 Lochview's caliber. However, the property has become under-utilized as a single family residence, and our client would like to see the magnificent features of this estate further enjoyed and appreciated. As a Private Guest Estate, the property will retain its meticulous form and character while offering exclusive use of the estate to its patrons, therefore continuing to function as a private residence just as it does today.



Porte-cochère

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What is a Private Guest Estate?

Demand is growing for unique travel opportunities that offer luxuries beyond what can be provided while staying in hotel rooms or cruise ships. Increasingly, travellers are seeking boutique experiences at exceptional properties which can provide absolute security and privacy, space that can accommodate larger groups, and fully serviced amenities.

Many world class travel destinations are now home to private guest estates, where, for a week or longer, a single party (a family, large group of friends or business colleagues) can charter an entire property for an all-inclusive, full-service stay at a private estate. In addition to exclusive use of the property, included in each stay are chef prepared meals, chauffeured transportation, around the clock butler and housekeeping services, onsite spa treatments and curated excursions to local wineries, restaurants, golf courses and scenic attractions.



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Comparable Experiences in BC

The concept of a Private Guest Estate as a hospitality destination is relatively uncommon but not unique. Worldwide, there are hundreds of properties offering similar services, most commonly in Europe and Australasia. Regionally, the following destinations offer the most comparable luxury experiences:



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Clayoquot Wilderness Lodge

Location:
Vancouver Island

Description:
Remote, fly-in all-inclusive glamping. \$2,400 per person, per night.

Zoning:
Alberni-Clayoquot Regional District [Wilderness Campground District Zoning](#)

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Bighorn Lodge

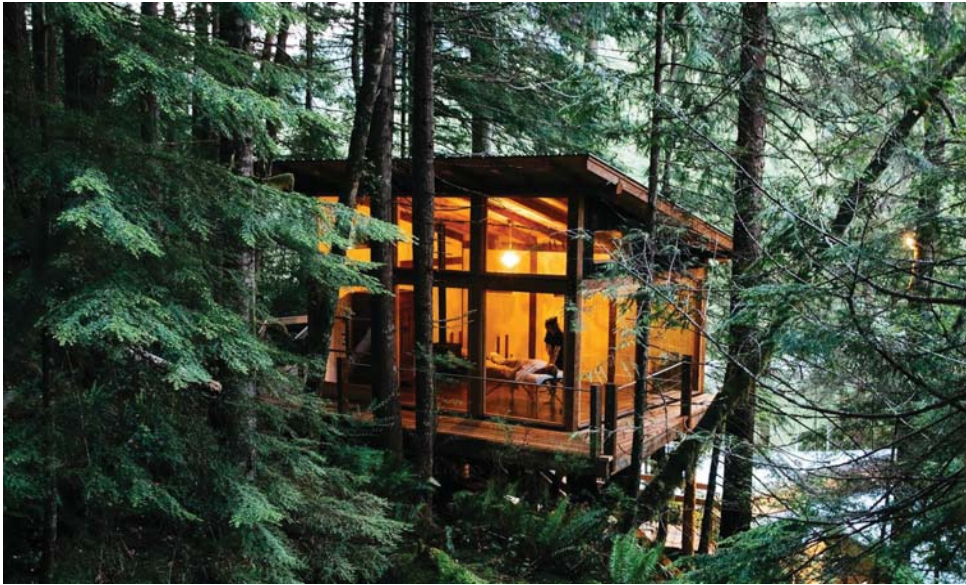
(Flying Moose Chalet, Whiteworth Chalet, Bison Lodge are also in the same area and provide similar experiences)

Location:
Revelstoke

Description:
Modern eight bedroom lodge with helipad geared toward heliskiing. Rented on a week-long all-inclusive basis. \$160,000 per week.

Zoning:
City of Revelstoke [Comprehensive Development Zone 8, Resort Neighborhood and Resort Core](#)

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Nimmo Bay Wilderness Resort

Location:
Inside Passage

Description:
Remote all-inclusive nature resort. Two-person private cabins \$3990 per night.

Zoning:
Mt. Waddington Regional District [Tourist Accommodation Zone \(TA-1\)](#)

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380 Lochview Road

The estate at 380 Lochview Road is very well suited to function as a Private Guest Estate. Completed in 2008, the 15,000 square foot main residence includes six bedrooms and eleven bathrooms. A second beach residence will be converted to include two bedrooms and two bathrooms. The features of the property are summarized further in the following pages.

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Beach Residence

The beach residence is located north of the main residence and will contain a wet bar, two bedrooms, two bathrooms, a living area, a dining room, a garage/storage area, and lake views throughout.

10

Accommodations



Guest Rooms

Two guest suites are each adorned with lake views, ample deck space, a fireplace & seating area along with a large ensuite bathroom with double vanities, a bathtub and a shower. There are four additional guest rooms, each with lake views, deck space and ensuite bathrooms.



Kitchen

The chef's kitchen features two islands, a built-in coffee maker, two freezers, a walk-in refrigerator, a full pantry, gas & induction stove tops, a La Cornue range, and a hidden motorized TV lift.



Dining

The formal dining area features a large 16 seat table, tall ceilings with timber frame arches, and a fireplace. An additional informal dining area is framed by tall ceilings and lake views.



Living

A formal living area features a large seating area and fireplace while an informal living room includes extensive lake views.

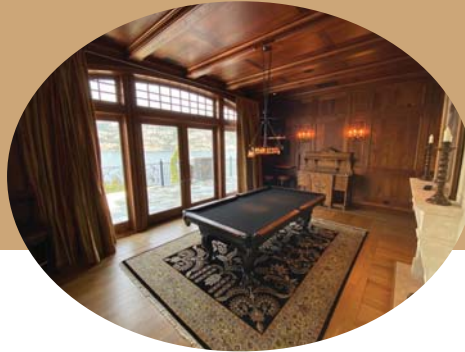
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Indoor Amenities



Theater

A 12 seat theater with leather power reclining chairs and a separate media room is located on the lower floor.



Billiards Room

A wood panelled billiards room overlooking the lake with a fireplace and bar is located on the lower floor.



Ballroom

A 1,200 square foot wood floor ballroom with integrated audio visual technology serves as a multifunctional space.



Wine Cellar

A large capacity brick lined wine cellar with a tasting island is located across from the ballroom.

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Spa and Pools



Spa

A spa with sauna and steam rooms, heated loungers, spa shower, coffee bar, and exercise and change rooms is located adjacent to the pools.



Jacuzzi

There is an Indoor / outdoor jacuzzi with lake views and an outdoor shower.



Lap Pool

A 20 meter lap pool with a granite infinity edge is accessible from the spa.



Recreation Pool

The pool deck is completed with an infinity edge pool with intricate tile design, custom jetted massage loungers and custom gas fire bowls.

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Outdoor Amenities



Tennis Court

A Professional tennis court with restroom and equipment storage is accessible by golf cart.



Dock & Beaches

Another golf cart path meanders down to a dock with boat lifts and a swimming area. Further along is a second beach with a beachside fireplace.



Decks

There is over 20,000 square feet of tiled deck space with an outdoor barbeque, dining, fireplaces, lounge areas, and water features.



Hiking Trails

Over 900 meters of lake frontage and secluded beaches and nearly 20 acres of natural environment can be explored by trail.

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Grounds



Gate House

A gate house at the entrance to the estate ensures secure access to the fenced property.



Landscaping

Mature and well maintained landscaping can be found throughout the property. Paved golf cart paths enable easy access across the grounds.



Water Features

Seven water fountains located across the estate enhance the tranquility of the landscape.



Vineyards

The property boasts three vineyards with plans for additions blocks to be planted.

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Boutique Winery

Future plans include converting the existing detached garage to a boutique winery. Establishing the winery to vinify the estate grown Pinot Noir will give guests a hands-on farm-to-table agri-tourism experience.

“Made in Kelowna”

Kelowna is increasingly a leading destination for wine lovers, golfers, skiers and those looking to experience the Canadian outdoors. As the most exclusive and service-oriented hospitality option in the region, 380 Lochview will have a significant impact in furthering Kelowna’s reputation as a sought-after destination and will bring significant tourism revenue into the City. The Private Guest Estate at 380 Lochview aims to fill the gap in luxury accommodation for discerning clientele.

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City of
Kelowna

TA21-0014 380 Lochview Road

Text Amendment Application

Purpose

- ▶ To amend the Zoning Bylaw with a site-specific Text Amendment to the Large Lot Rural Residential zone by increasing the maximum number of sleeping units for a bed and breakfast and allowing additional permitted uses on the property.

Development Process

Jul 28th, 2021

Development Application Submitted



Staff Review & Circulation



Sept 7th, 2021
Jan 28th, 2023

Public Notification Received



Feb 27th, 2023

Initial Consideration



Public Hearing

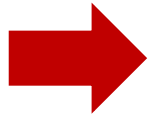


Final Reading



Building Permit

Council
Approvals

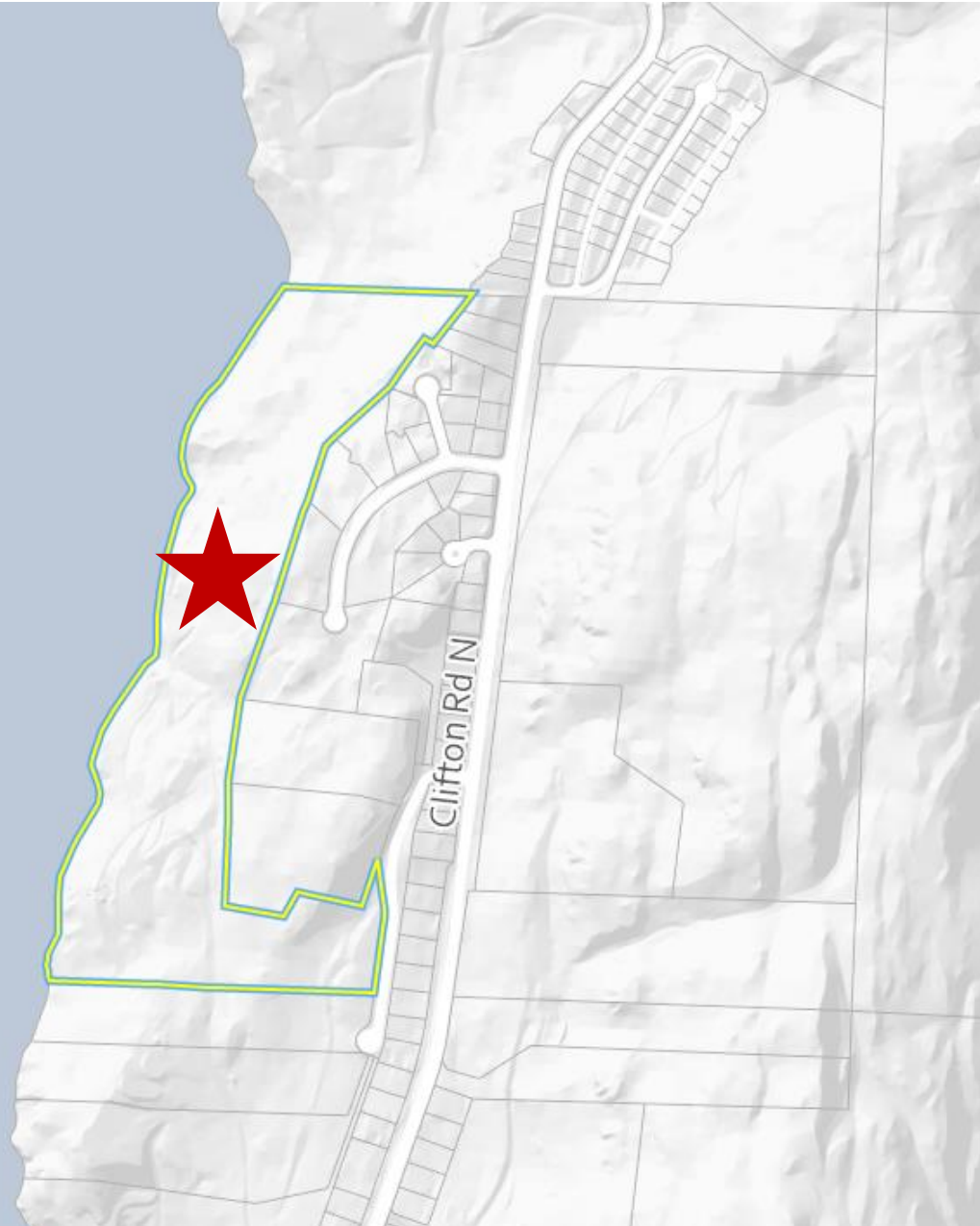


Context Map

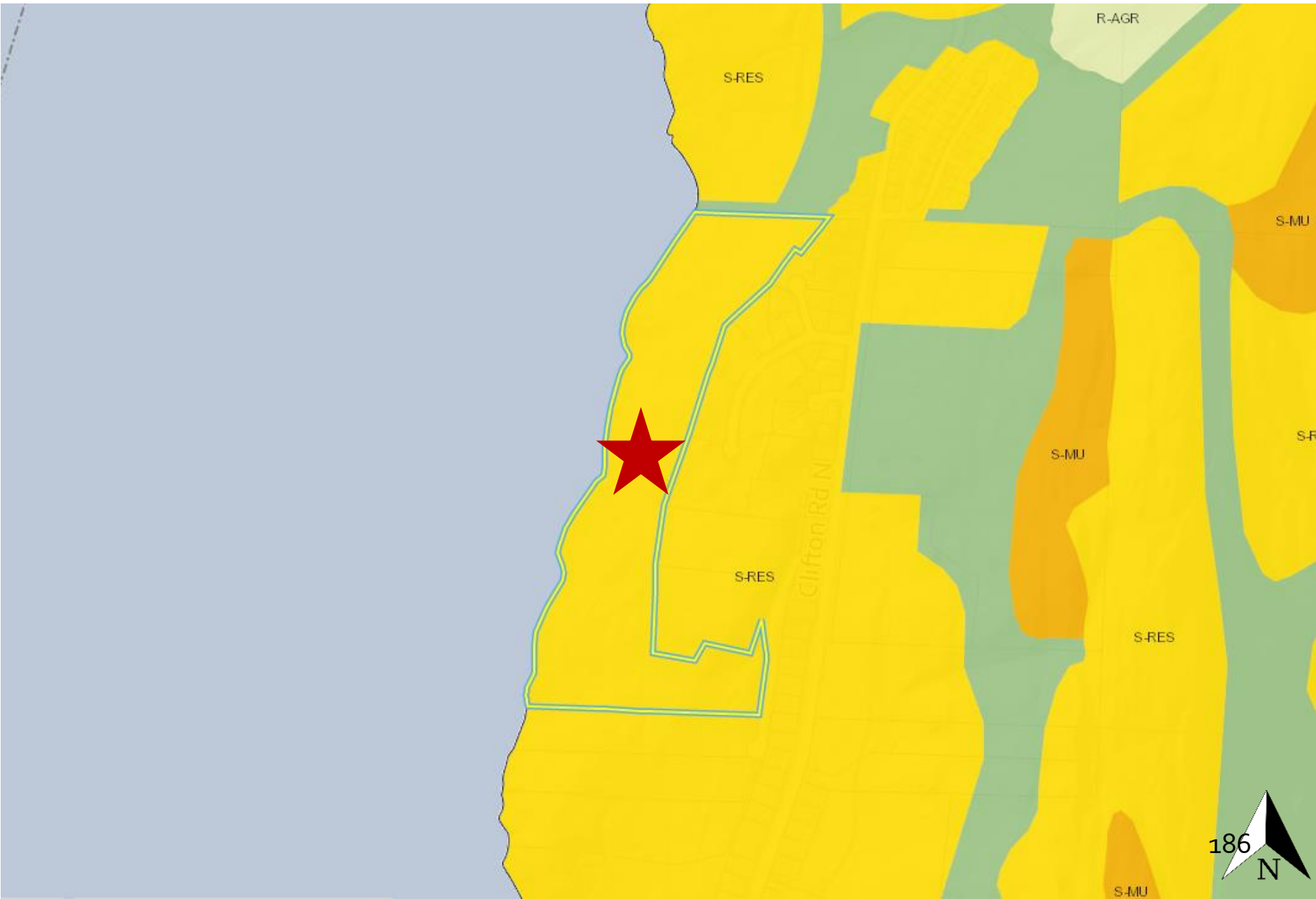
Walk Score
0

Transit Score
0

Bike Score
14



OCP Future Land Use



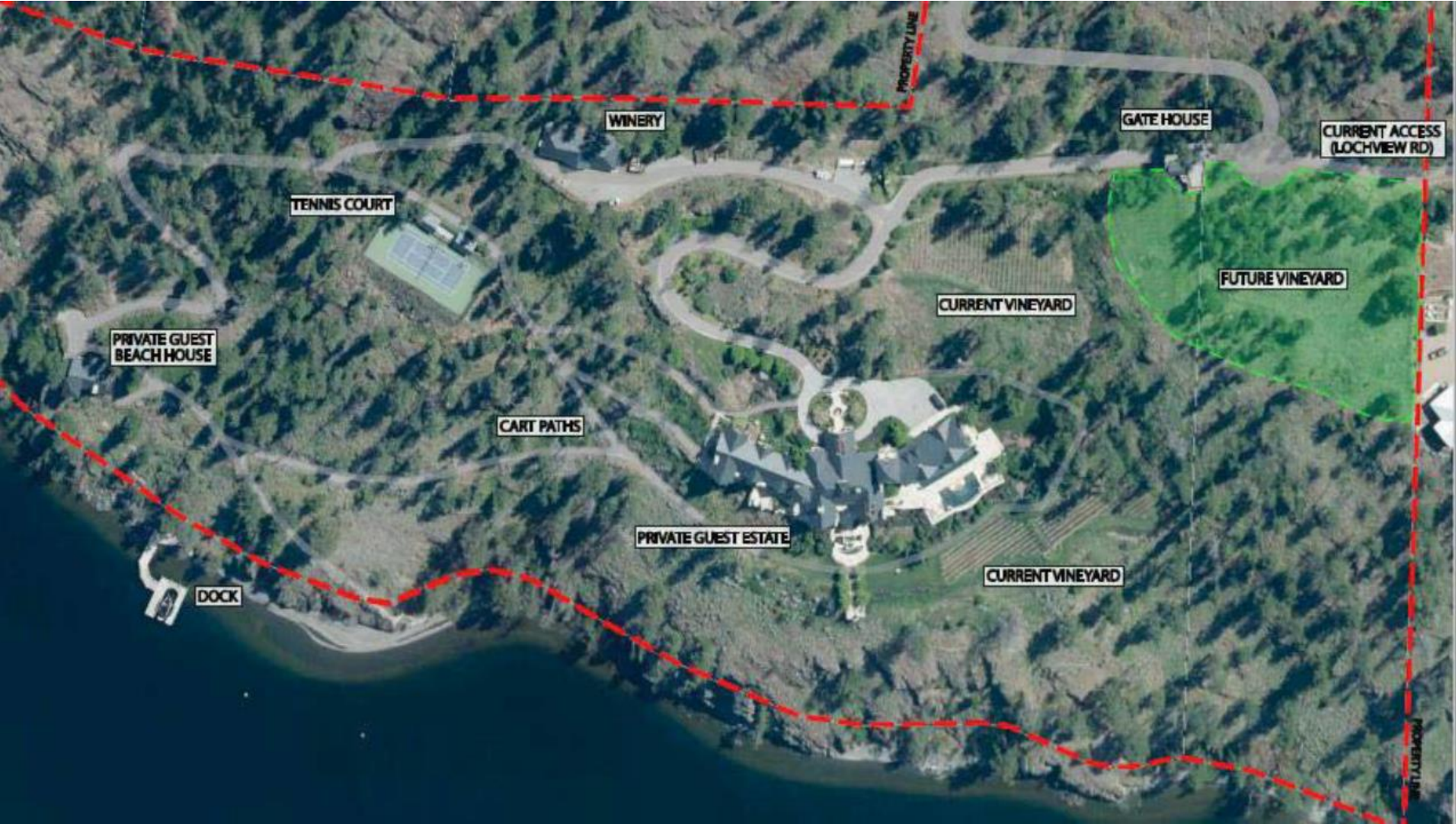
Subject Property Map



Project Details

- ▶ The site-specific Text Amendment is to allow for changes to the existing bed and breakfast operation:
 - ▶ Increase sleeping capacity to eight units, with up to two guests per sleeping unit (16 guests in total);
 - ▶ Six sleeping units in principal dwelling and two in accessory building.
 - ▶ Allow banquet and beverage services, meeting rooms, tennis courts, swimming pool, spa, billiards room and theatre for the convenience of guests.
 - ▶ Agriculture and boutique winery.
 - ▶ Only one reservation at any given time.

Draft Site Plan



Site Photographs



Future Park – Road Reserve



OCP Objectives & Policies

- ▶ Policy 10.1.3. Park Acquisition Priorities:
 - ▶ The proposal includes a future waterfront park that will be secured as a road reserve until the park is dedicated on the adjacent property.
- ▶ Policy 10.2.1. Connected Parks.
 - ▶ The waterfront acquisition will connect and be accessed with the proposed park to the North creating a larger waterfront park.

Staff Recommendation

- ▶ Staff recommend support for the proposed Text Amendment Application as it is consistent with:
 - ▶ Offers boutique luxury rental option with the City of Kelowna;
 - ▶ Supplemental uses are only offered to guests of the resort;
 - ▶ Large property with grade difference from neighbouring properties;
 - ▶ Owners have agreed to register road reserve to become future waterfront park.

CITY OF KELOWNA

BYLAW NO. 12487

TA21-0014

380 Lochview 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, **Section 10 – Agriculture & Rural Residential Zones, Section 10.7 – Site Specific Regulations** be amended by adding in its appropriate location the following:

“Uses and regulations apply to the RR1 – Large Lot Rural Residential zone on a site-specific basis as follows:

	Legal Description	Civic Address	Regulation
1.	Lot A Sections 7 and 8 Township 23 ODYD Plan KAP88538	380 Lochview Road	<p>Notwithstanding, Section 9.3 Bed & Breakfast Homes, Section 10.3 Permitted Land Uses and Section 10.6 Development Regulations for Accessory Buildings, the following uses and regulations are permitted:</p> <ul style="list-style-type: none"> • Agriculture; • Alcohol Production Facility, where onsite sales of alcohol can only be purchased by bed & breakfast guests; • Food Primary Establishments; Liquor Primary Establishments; Participant Recreation Services, Indoor; Participant Recreation Services, Outdoor; Personal Services Establishments, all for the bed & breakfast guests only; • A maximum of 8 sleeping units, with a maximum of two people in each sleeping unit; <ul style="list-style-type: none"> ○ One accessory building may have two of the eight sleeping units and two-full sized bathrooms. No cooking facilities permitted; ○ Only one reservation (on a temporary basis of less than 30 days) for any of the sleeping units is permitted at any given time.

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

Read a first time by the Municipal Council this

Considered at a Public Hearing on this

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: February 27, 2023
To: Council
From: City Manager
Department: Development Planning
Application: Z22-0056
Address: Various
Subject: Rezoning Application (1 of 2)
Owner: Various
Applicant: City of Kelowna

1.0 Recommendation

THAT Rezoning Application No. Z22-0056 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of several parcels described in Schedule 'A';

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

AND THAT final adoption of Bylaw No. 12483 and Bylaw No. 12490 be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

2.0 Purpose

To implement the Zoning Bylaw Transition Plan by updating and rezoning one hundred and six (106) parcels.

3.0 Development Planning - Background

Following the adoption of Zoning Bylaw No. 12375, a planned set of amendments was identified to bring forward to Council as outlined within the Bylaw Transition Plan. The Plan was outlined and approved by Council at initial consideration and subsequent readings of Zoning Bylaw No. 12375. The volume of amendments has been divided into five council reports:

Two Mapping Amendment Reports:

1. Rural and Single-Family zoned parcels; &
2. Multi-Family, Commercial, Industrial, and Institutional zoned parcels;

Three Text Amendment Reports:

1. First half of content updates within the Zoning Bylaw;
2. Second half of content updates within the Zoning Bylaw; &
3. Updates to the spelling and grammar.

4.0 Development Planning

During the Bylaw Transition period, Council continued to consider individual rezoning applications under Zoning Bylaw No. 8000 in order to provide a high level of service to the development community. This approach resulted in many Council adopted Zoning applications not captured in Zoning Bylaw No. 12375 as first reading of the bylaw had already occurred. A cleanup set of amendments is now needed to capture all the rezoning adoptions that occurred during the transition period.

There were one hundred and forty-six (146) parcels that were either adopted during the transition period or were missed during the original bylaw development. Staff have grouped and categorized the lots into twenty-one categories based on the rezoning details and then divided that into two Council Reports. This is the first of two Council Reports on mapping changes and will address the first one hundred and six (106) parcels. This report considers all the rural residential and single-family zoned parcels. The second report will look at all other zones.

Schedule 'A' defines the specific properties to be rezoned. Table 3.1 is the executive summary of the mapping changes and is divided into ten categories as shown below.

Table 3.1 Rural Residential and Single-Family Rezoning Proposal

Number	Rezoning Category	Number of Lots Affected
1.	Carriage House zone mapping error from Bylaw 8000	1
2.	Lots be rezoned to a carriage house sub-zone	11
3.	Lots be rezoned to the RU ₄ zone	14
4.	Lots be rezoned to the RU ₂ zone in the Vision Ct / Foothill Ct Subdivision	34
5.	Lots be rezoned to the RU ₂ zone in the Emslie / Collison Ct Subdivision	41
6.	Lots be rezoned to the RU ₂ zone in the Muir Rd area	1
7.	Rezone portions of a lot on McClure Rd	1
8.	Rezone portions of a lot on Steele Rd	1
9.	Rezone portions of 1180 Band Rd from P ₃ to RR ₁	1
10.	Rezone property from RU ₅ to RU ₂	1
	Total	106

5.0 Technical Comments

Not Applicable

Report prepared by: Adam Cseke, Planner Specialist
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:

Schedule 'A': Part 1 of 2 List of Mapping Amendments for various properties

Part 1 of 2 Schedule A - List of Mapping Amendments

Zoning Bylaw 12375

	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
1.	n/a	1301 Lewis Road	Lot A, Section 13, Township 26, ODYD, Plan KAP54818	Rezone from RR2 to RR2c	Mapping error between Bylaw 8000 and Bylaw 12375. Property was rezoned in 2003.

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
2.	Z21-0103	330 -334 Sumac Rd E	Lot 11, Section 35, Township 26, ODYD, Plan KAP24739	Rezone from RU1 to RU1c	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.
	Z22-0021	180 Rimrock Rd	Lot 1, Section 16, Township 28, SDYD, Plan 34351	Rezone from A2 to RR2c	
	Z21-0052	679-681 Paret Pl	Lot 3, District Lot 358, ODYD, Plan 26534	Rezone from RU1 to RU1c	

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
	Z21-0065	664 Barnaby Rd	Lot A, District Lot 357, ODYD, Plan 18635	Rezone from RR1 to RR1c	
	Z22-0012	661 Del Monte Ct	Lot 7, District Lot 358, ODYD, Plan 27079	Rezone from RU1 to RU1c	
	Z22-0023	445 Brighton Rd	Lot 83, Section 24, Township 26, ODYD, Plan 24631	Rezone from RU1 to RU1c	
	Z22-0026	217 Merlin Ct	Lot 50, Section 6, Township 23, ODYD, Plan 42134	Rezone from RU1 to RU1c	
	Z22-0030	394 Viewcrest Ct	Lot 17, Section 23, Township 28, SDYD, Plan KAP53665	Rezone from RU1 to RU1c	
	Z22-0031	1649 Feedham Ave	Lot 149, Section 13, Township 26, ODYD, Plan 24361	Rezone from RU1 to RU1c	
	Z21-0091	766-769 Nathan Rd	Lot A, District Lot 358, ODYD, Plan 18535	Rezone from RU1 to RU1c	
	Z19-0064	249 Fitzpatrick Road	Lot 1, Section 35, Township 26, ODYD Plan KAP55899	Rezone from RU1 to RU1c	

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
3.	Z21-0013	4617 Fordham Rd	Lot 1, District Lot 357, ODYD, Plan EPP118918	Rezone from RU1 to RU4	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.
	Z21-0013	4619 Fordham Rd	Lot 2, District Lot 357, ODYD, Plan EPP118918	Rezone from RU1 to RU4	
	Z21-0017	1653 Highland Dr N	Lot A, Section 29, Township 26, ODYD, Plan EPP125145	Rezone from RU1 to RU4	
		1657 Highland Dr N	Lot B, Section 29, Township 26, ODYD, Plan EPP125145		
	Z21-0021	759 Barnaby Rd	Lot 1, District Lot 357, SDYD, Plan EPP124963	Rezone from RU1 to RU4	
		763 Barnaby Rd	Lot 2, District Lot 357, SDYD, Plan EPP124963		
	Z21-0107	658 Greene Rd	Lot B, District Lot 358, ODYD, Plan 32043	Rezone from RU1 to RU4	
	Z22-0001	920 Franklyn Rd	Lot 23, District Lot 143, ODYD, Plan 21429	Rezone from RU1 to RU4	
	Z21-0063	440 Gerstmar Rd	Lot A, Section 22, Township 26, ODYD, Plan 29966	Rezone from RU1 to RU4	
	Z22-0017	4563 Gordon Dr.	Lot A, District Lot 357, SDYD, Plan 18353	Rezone from RU1 to RU4	

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
	Z22-0017	4573 Gordon Dr.	Lot B, District Lot 357, SDYD, Plan 18353	Rezone from RU1 to RU4	
	Z22-0027	259 Clifton Rd N	Lot 6, Section 8, Township 23, ODYD, Plan 20895	Rezone from RU1 to RU4	
	Z22-0008	634 McClure Rd	Lot 13, District Lot 357, SDYD, Plan 18280	Rezone from Ru1 to RU4	
	Z20-0080	855 Dehart Rd	Lot 45, District Lot 358, ODYD, Plan 40481	Rezone from RU1 to RU4	

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
4.	TA19-0020	5500 Foothill Ct	Lot 1, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.
	TA19-0020	5504 Foothill Ct	Lot 2, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5508 Foothill Ct	Lot 3, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
	TA19-0020	5512 Foothill Ct	Lot 4, Sections 23 & 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5516 Foothill Ct	Lot 5, Sections 23 & 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5520 Foothill Ct	Lot 6, Section 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5524 Foothill Ct	Lot 7, Section 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5529 Foothill Ct	Lot 8, Section 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5533 Foothill Ct	Lot 9, Sections 23 & 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5537 Foothill Ct	Lot 10, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5541 Foothill Ct	Lot 11, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5545 Foothill Ct	Lot 12, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5549 Foothill Ct	Lot 13, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5553 Foothill Ct	Lot 14, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
	TA19-0020	5557 Foothill Ct	Lot 15, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5561 Foothill Ct	Lot 16, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5565 Foothill Ct	Lot 17, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5569 Foothill Ct	Lot 18, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5573 Foothill Ct	Lot 19, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	411 Vision Ct	Lot 20, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	415 Vision Ct	Lot 21, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	419 Vision Ct	Lot 22, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	423 Vision Ct	Lot 23, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	427 Vision Ct	Lot 24, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	431 Vision Ct	Lot 25, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
	TA19-0020	435 Vision Ct	Lot 26, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	437 Vision Ct	Lot 27, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	443 Vision Ct	Lot 28, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	447 Vision Ct	Lot 29, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	451 Vision Ct	Lot 30, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	455 Vision Ct	Lot 31, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	459 Vision Ct	Lot 32, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	463 Vision Ct	Lot 33, Sections 23 & 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	467 Vision Ct	Lot 34, Section 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
5.	Z19-0103	5200 Gordon Dr	The South 1/2, District Lot 579, SDYD, except Plans KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670, EPP22118, EPP55798, EPP45189, EPP72926, EPP74481, EPP77194 AND EPP107510 Lot S ½, District Lot 579, SDYD, Plan EPP107510	Rezone RU1 portions to RU2 and leave P3 portions as is as described in Map "D" Zoning Amendment Z22-0056	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.
	Z19-0103	1004 Emslie St	Lot 1, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1008 Emslie St	Lot 2, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1012 Emslie St	Lot 3, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1016 Emslie St	Lot 4, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1018 Emslie St	Lot 5, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1022 Emslie St	Lot 6, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1026 Emslie St	Lot 7, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1030 Emslie St	Lot 8, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1034 Emslie St	Lot 9, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1038 Emslie St	Lot 10, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
	Z19-0103	1042 Emslie St	Lot 11, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1046 Emslie St	Lot 12, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1050 Emslie St	Lot 13, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1054 Emslie St	Lot 14, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1058 Emslie St	Lot 15, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1062 Emslie St	Lot 16, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1066 Emslie St	Lot 17, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1070 Emslie St	Lot 18, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1120 Collinson Ct	Lot 19, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1114 Collinson Ct	Lot 20, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1108 Collinson Ct	Lot 21, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1102 Collinson Ct	Lot 22, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1096 Collinson Ct	Lot 23, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1090 Collinson Ct	Lot 24, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1084 Collinson Ct	Lot 25, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
	Z19-0103	1078 Collinson Ct	Lot 26, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1072 Collinson Ct	Lot 27, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1066 Collinson Ct	Lot 28, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1071 Collinson Ct	Lot 29, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1077 Collinson Ct	Lot 30, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1083 Collinson Ct	Lot 31, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1089 Collinson Ct	Lot 32, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1095 Collinson Ct	Lot 33, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1101 Collinson Ct	Lot 34, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1107 Collinson Ct	Lot 35, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1113 Collinson Ct	Lot 36, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1119 Collinson Ct	Lot 37, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1125 Collinson Ct	Lot 38, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1131 Collinson Ct	Lot 39, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1137 Collinson Ct	Lot 40, District Lot 579, SDYD, Plan EPP107510	Rezone from RU1 to RU2	

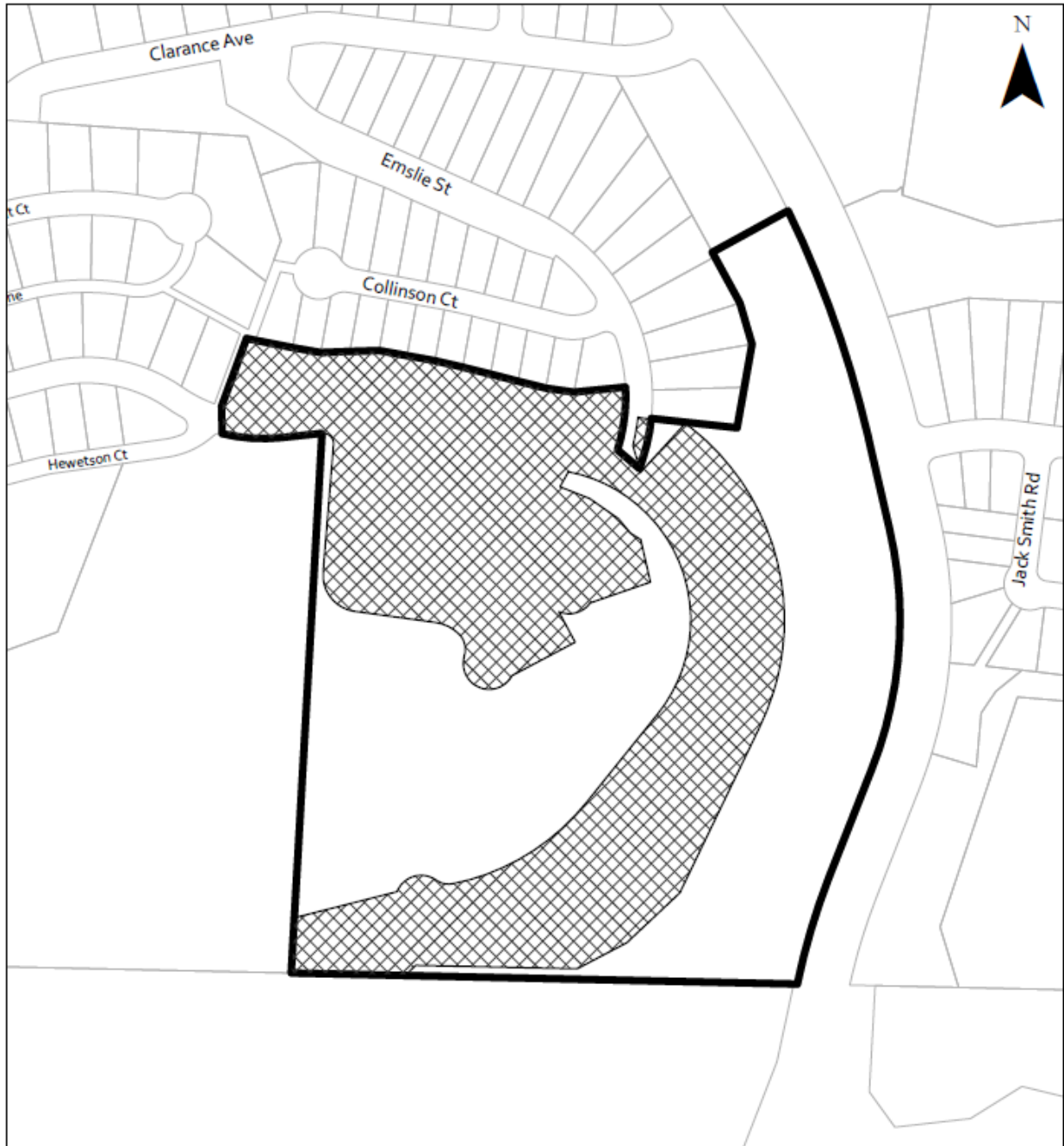
No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
6.	Z22-0016	140 Muir Rd	Lot 19, Section 26, Township 26, ODYD, Plan 15377	Rezone from RU1 to RU2	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
7.	Z21-0064	4628 McClure Rd	Lot D, District Lot 167 and Section 25, Township 28, SDYD, Plan KAP53791	Rezone as per Map "B" Zoning Amendment Z22-0056	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
8.	Z21-0094	1450 Steele Rd	Lot A, Sections 20 and 29, Township 29, SDYD, Plan KAP44335, Except Plans KAP92565, EPP23066, EPP31364, EPP51781, EPP72348, EPP82001, and EPP100536	Rezone as per Map "C" Zoning Amendment Z22-0056	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.



No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
9.	n/a	1170 Band Rd	Lot A, Section 13, Township 26, ODYD, Plan EPP19642 Except Plan EPP122639	Rezone as per: Map "A" Zoning Amendment Z22-0056	The overall bylaw changed OCP Park designated areas to the P3 zone but was intended to be on areas that are not future development areas (like Mission Creek, regional parks, etc.). Therefore, the P3 portion of the parcel should be determined through the rezoning process.

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
10.	n/a	(W of) Carnoustie Dr	Lot 23, Section 24, Township 26 & Section 19 Township 27, ODYD, Plan EPP75803 Except Part in Plan EPP116512	Rezone from RU5 to RU2	The new Zoning Bylaw deleted the original custom hillside zones that was assigned to this property. The new Zoning Bylaw assumed this property was a bareland strata lot. However, to provide flexibility in subdivision design, the RU2 zone allows for a traditional freehold subdivision.



MAP "D" REZONING AMENDMENT
Z22-0056

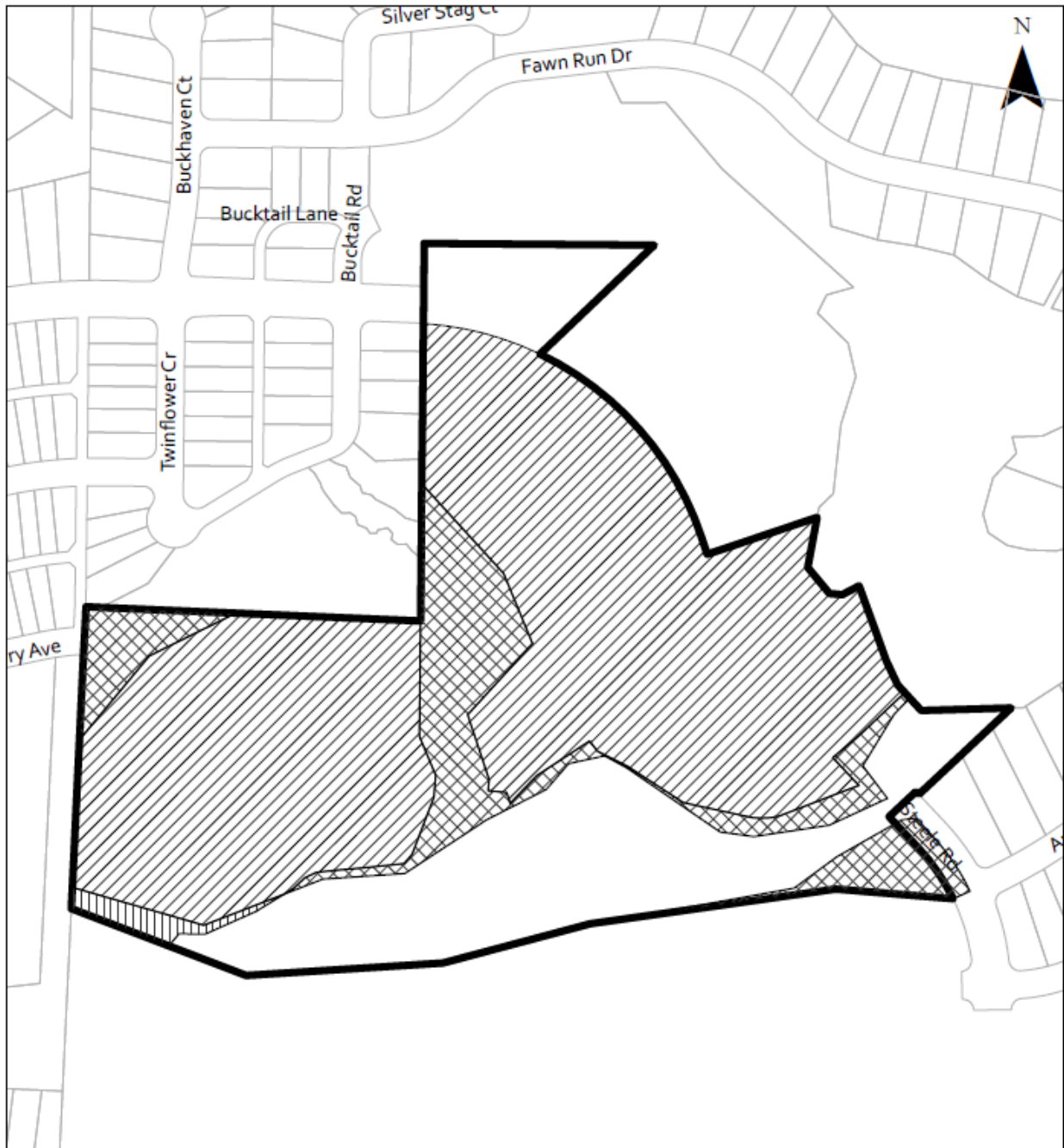
5200 Gordon Drive

-  Subject Property
-  From RU1 - Large Lot Residential To RU2 - Medium Lot Housing

0 2.5 5 10 15 20 25 Metres





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





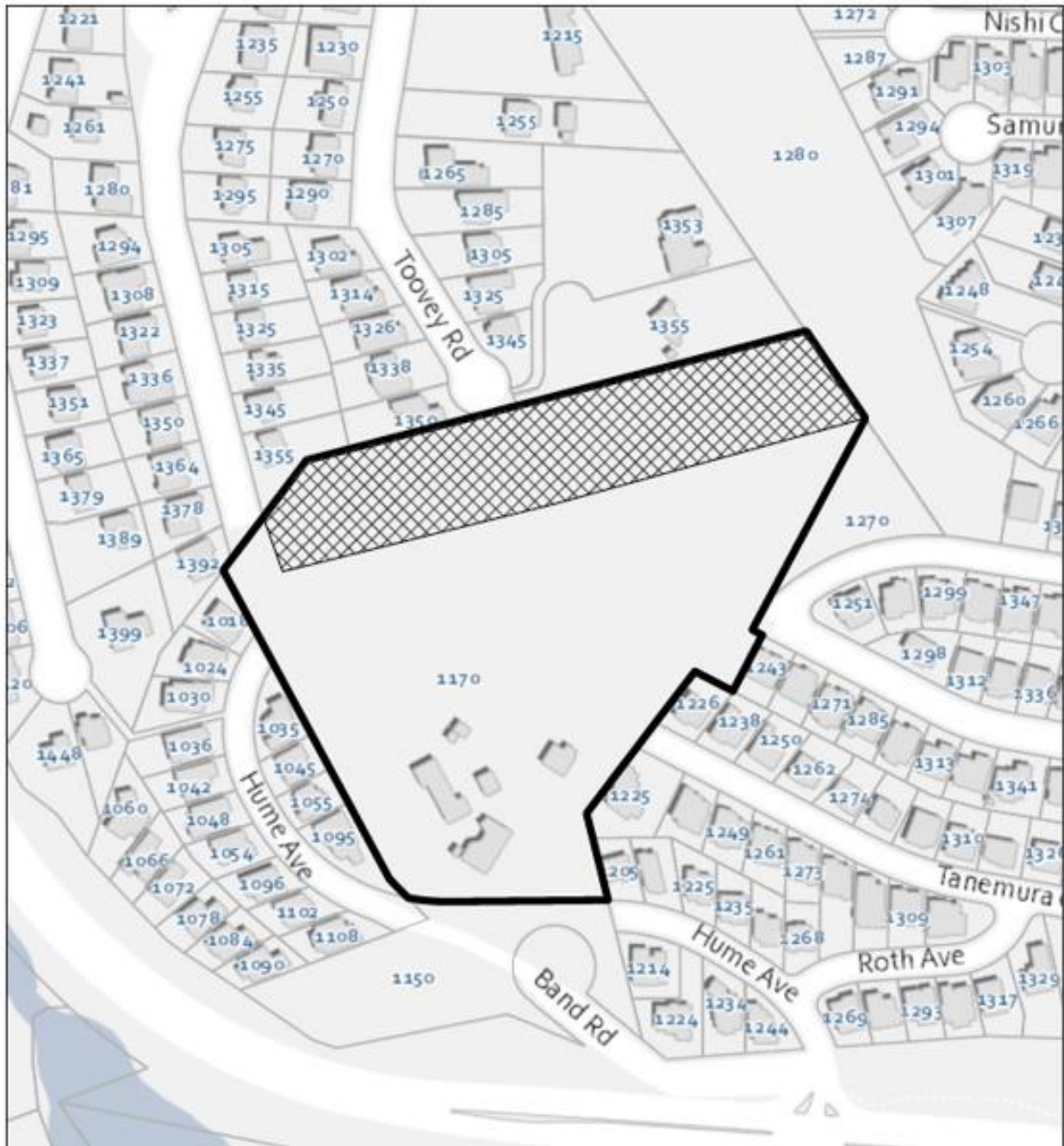
MAP "C" REZONING AMENDMENT
File Z22-0056

1450 Steele Rd

-  Subject Property
-  From RR1 - Large Lot Rural Residential To P3 - Parks and Open Space
-  From RR1 - Large Lot Rural Residential To RU2 - Medium Lot Housing
-  From P3 - Parks and Open Space To RU2 - Medium Lot Housing

0 2.5 5 10 15 20 25 Metres

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MAP "A" REZONING AMENDMENT
Z22-0056

1170 Band Rd

-  Subject Property
-  From P3 - Parks and Open Space to RR1 - Large Lot Rural Residential

0 5 10 15 20 25 Metres

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City of Kelowna

Z22-0056

Rezoning Bylaw Amendments

Part 1 of 2

Feb 27, 2023

Purpose

- ▶ The purpose is to implement the Zoning Bylaw Transition Plan by updating and rezoning one hundred and six (106) parcels.

Zoning Bylaw Transition Plan

- ▶ Rezoning adoptions occurred during new Zoning Bylaw #12375 consideration
 - ▶ May 2022 to Sept 2022
- ▶ 145 parcels adopted or identified during transition
- ▶ These properties have been organized into 21 zoning categories
 - ▶ Divided into two Council Reports for consideration

Rezoning Categories Part 1 of 2

Table 3.1 Rural Residential and Single-Family Rezoning Proposal

Number	Rezoning Category	Number of Lots Affected
1.	Carriage House zone mapping error from Bylaw 8000	1
2.	Lots be rezoned to a carriage house sub-zone	11
3.	Lots be rezoned to the RU ₄ zone	14
4.	Lots be rezoned to the RU ₂ zone in the Vision Ct / Foothill Ct Subdivision	34
5.	Lots be rezoned to the RU ₂ zone in the Emslie / Collison Ct Subdivision	41
6.	Lots be rezoned to the RU ₂ zone in the Muir Rd area	1
7.	Rezone portions of a lot on McClure Rd	1
8.	Rezone portions of a lot on Steele Rd	1
9.	Rezone portions of 1180 Band Rd from P ₃ to RR ₁	1
10.	Rezone property from RU ₅ to RU ₂	1
	Total	106

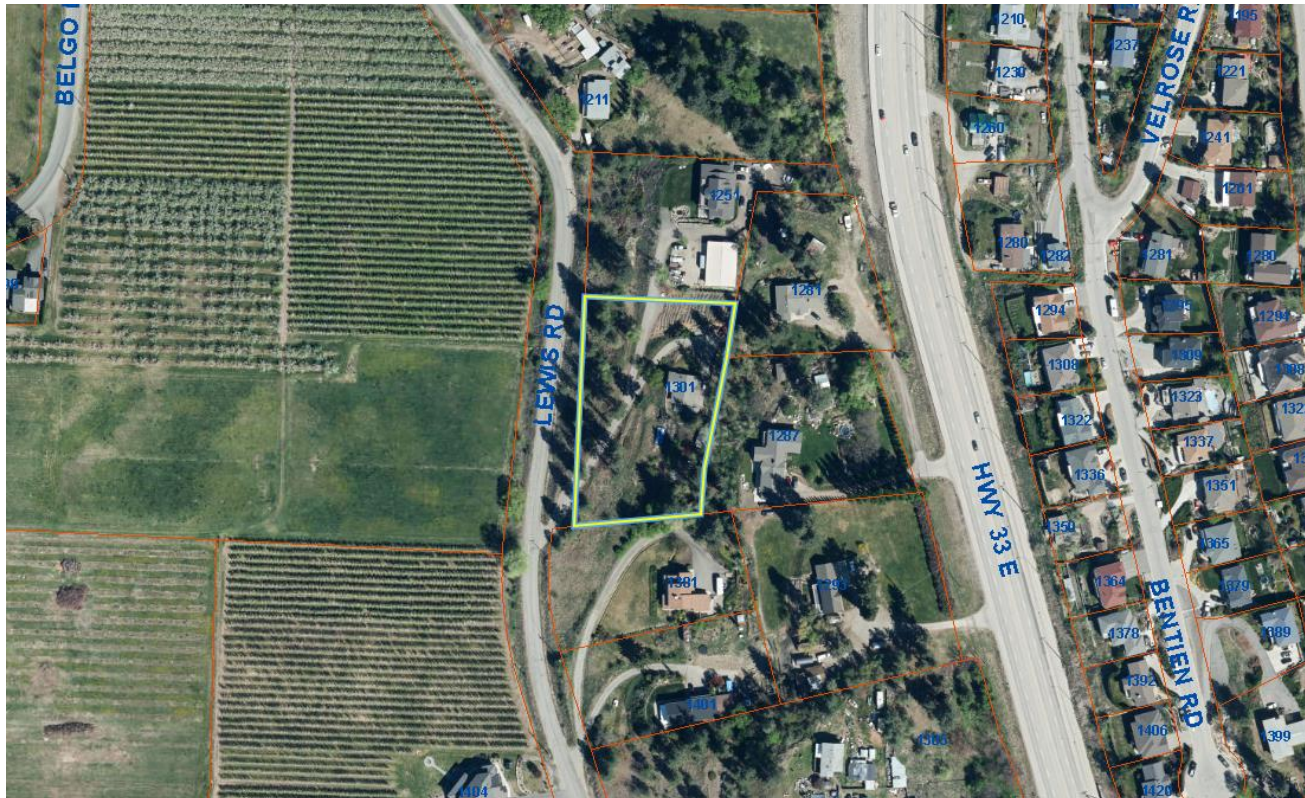
No.1 – 1301 Lewis Road

▶ RR2 to RR2c

	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
1.	n/a	1301 Lewis Road	Lot A, Section 13, Township 26, Plan KAP54818	Rezone from RR2 to RR2c	Mapping error between Bylaw 8000 and Bylaw 12375. Property was rezoned in 2003.

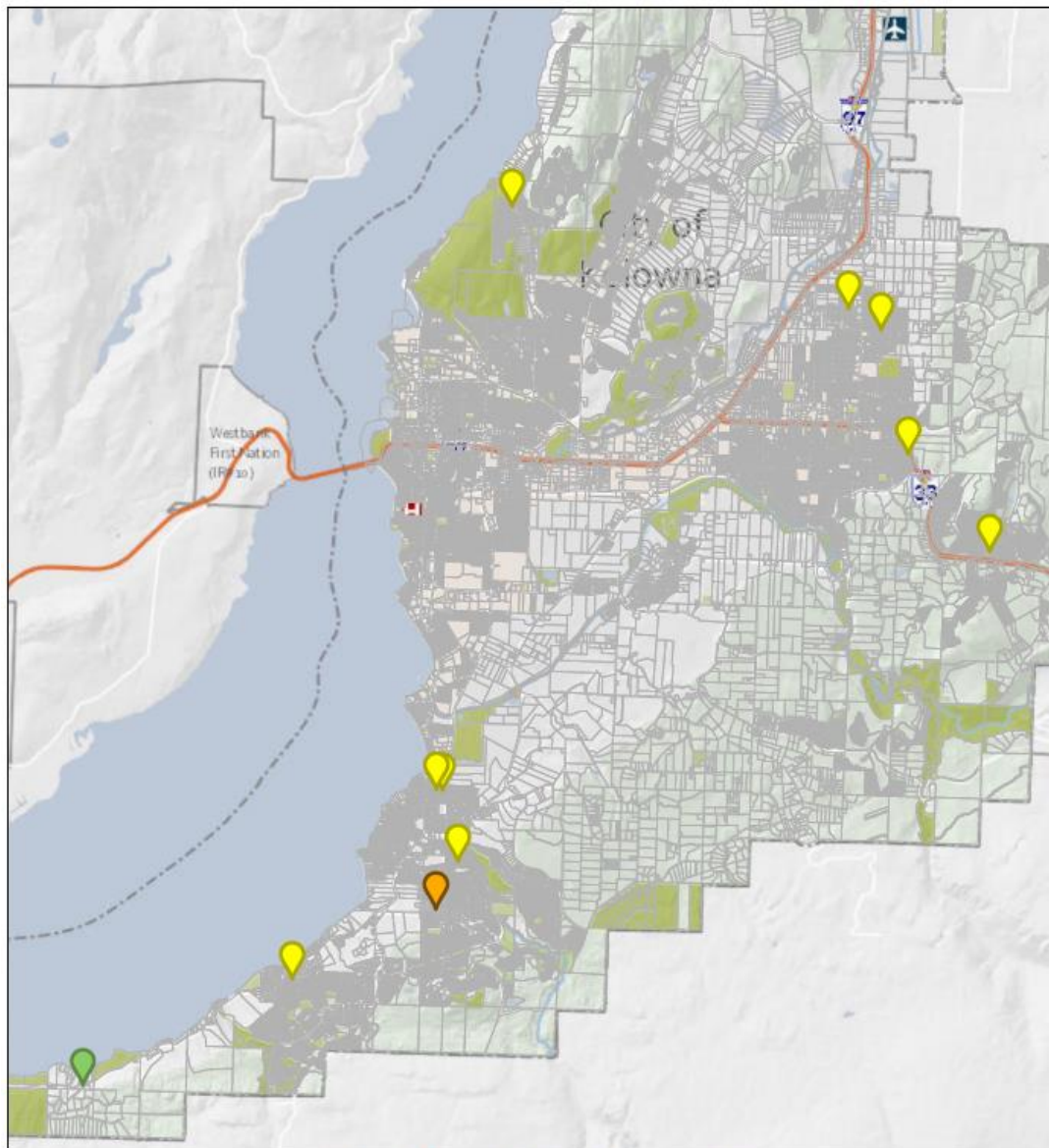
No.1 – 1301 Lewis Road

▶ RR2 to RR2c






No.2 – Carriage House Rezoning

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
2.	Z21-0103	330 Sumac Rd E	Lot 11, Section 35, Township 26, ODYD, Plan KAP24739	Rezone from RU1 to RU1c	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.
	Z22-0021	180 Rimrock Rd	Lot 1, Section 16, Township 28, SDYD, Plan KAP34351	Rezone from A2 to RR2c	
	Z21-0052	681 Paret Pl	Lot 3, District Lot 358, Land District 41, ODYD, Plan KAP26534	Rezone from RU1 to RU1c	
	Z21-0065	664 Barnaby Rd	Lot A, District Lot 357, Land District 41, ODYD, Plan KAP18635	Rezone from RR1 to RR1c	
	Z22-0012	661 Del Monte Ct	Lot 7, District Lot 358, Land District 41, ODYD, Plan KAP27079	Rezone from RU1 to RU1c	
	Z22-0023	445 Brighton Rd	Lot 83, Section 24, Township 26, Land District 41, ODYD, Plan KAP24631	Rezone from RU1 to RU1c	
	Z22-0026	217 Merlin Ct	Lot 50, Section 6, Township 23, ODYD, Plan KAP42134	Rezone from RU1 to RU1c	
	Z22-0030	394 Viewcrest Ct	Lot 17, Section 23, Township 28, ODYD, Plan KAP53665	Rezone from RU1 to RU1c	
	Z22-0031	1649 Feedham Ave	Lot 149, Section 13, Township 26, ODYD, Plan KAP24361	Rezone from RU1 to RU1c	
	Z21-0091	766-769 Nathan Rd	Lot A, District Lot 358, Land District 41, Plan KAP18535	Rezone from RU1 to RU1c	
	Z19-0064	249 Fitzpatrick Road	Lot 1 Section 35 Township 26, ODYD KAP55899	Rezone from RU1 to RU1c	



MAP "2" CARRIAGE HOUSE REZONINGS
File Z22-0056 Part 1 of 2

Carriage House Rezoning

- 
 A2 to RR2c
1 Lot
- 
 RR1 to RR1c
1 Lot
- 
 RU1 to RU1c
9 Lots



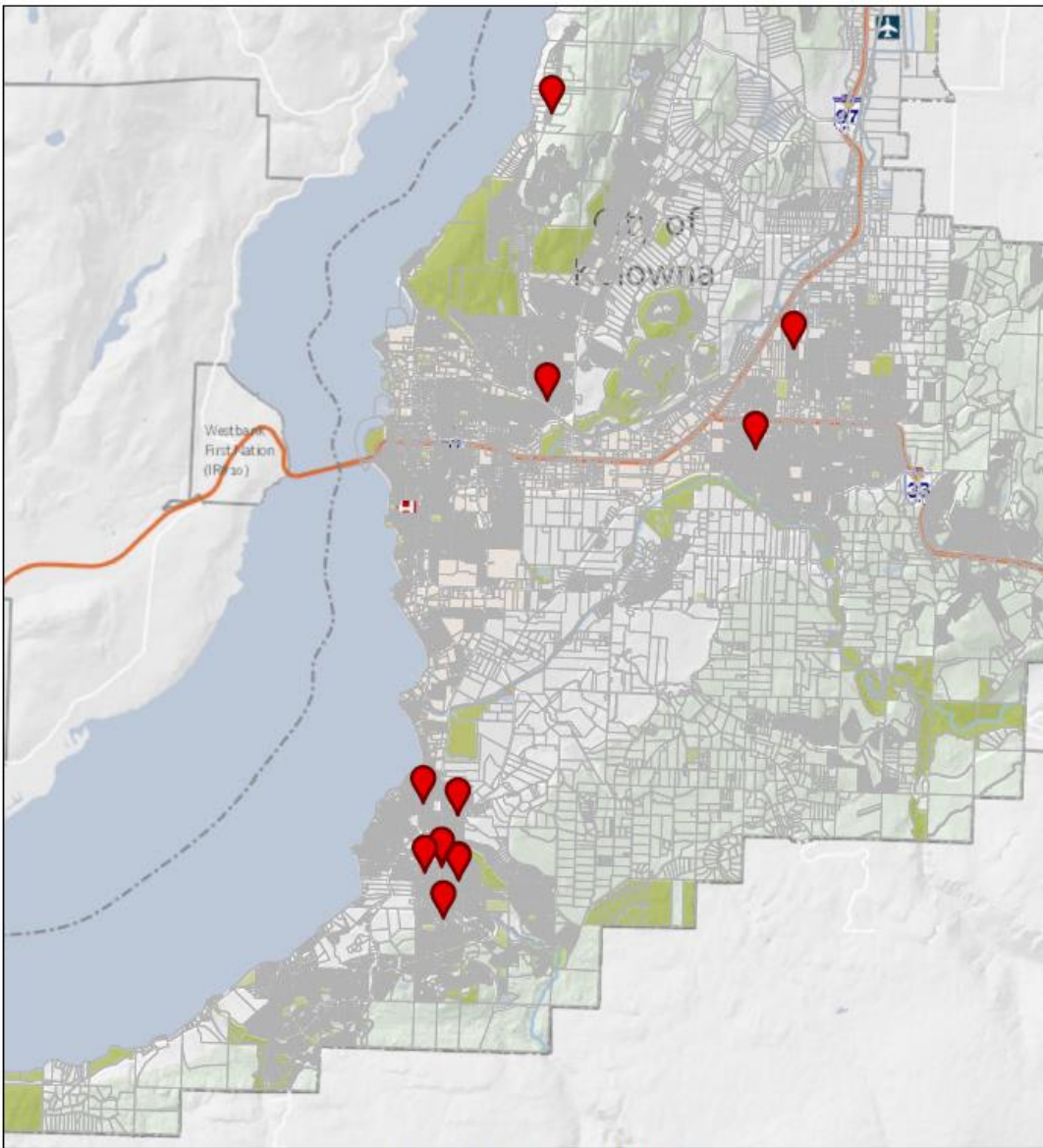
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Rev. Tuesday, January 17, 2023


No.3 – RU4 Rezoning

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
3.	Z21-0013	4617 Fordham Rd	Lot 1, District Lot 357, ODYD, Plan EPP118918	Rezone from RU1 to RU4	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.
	Z21-0013	4619 Fordham Rd	Lot 2, District Lot 357, ODYD, Plan EPP118918	Rezone from RU1 to RU4	
	Z21-0017	1653 Highland Dr N	Lot 4, Section 29, Township 26, ODYD, Plan KAP12634	Rezone from RU1 to RU4	
	Z21-0021	763 Barnaby Rd	Lot C, District Lot 357, ODYD, Plan KAP24757	Rezone from RU1 to RU4	
	Z21-0107	658 Greene Rd	Lot B, District Lot 358, Land District 41, ODYD, Plan KAP32043	Rezone from RU1 to RU4	
	Z22-0001	920 Franklyn Rd	Lot 23, District Lot 143, ODYD, Plan KAP21429	Rezone from RU1 to RU4	
	Z21-0063	440 Gertsmar Rd	Lot A, Section 22, Township 26, Land District 41, ODYD, Plan KAP29966	Rezone from RU1 to RU4	
	Z22-0017	4563 Gordon Dr.	Lot A, District Lot 357, ODYD, Plan KAP18353	Rezone from RU1 to RU4	
	Z22-0017	4573 Gordon Dr.	Lot B, District Lot 357, ODYD, Plan KAP18353	Rezone from RU1 to RU4	
	Z22-0027	259 Clifton Rd N	Lot 6, Section 8, Township 23, ODYD, Plan KAP20895	Rezone from RU1 to RU4	
	Z22-0008	634 McClure Rd	Lot 13, District Lot 357, ODYD, Plan KAP18280	Rezone from RU1 to RU4	
	Z20-0080	855 Dehart Rd	Lot 45, District Lot 358, ODYD, Plan KAP40481	Rezone from RU1 to RU4	



MAP "3" RU4 REZONINGS
File Z22-0056 Part 1 of 2

RU4 Rezonings

 RU1 to RU4

12 Lots

0 2.5 5 10 15 20 25 Metres

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Rev. Wednesday, January 18, 2023


No.4 – RU2 Rezoning

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
4.	TA19-0020	5500 Foothill Ct	Lot 1, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.
	TA19-0020	5504 Foothill Ct	Lot 2, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5508 Foothill Ct	Lot 3, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5512 Foothill Ct	Lot 4, Sections 14 & 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5516 Foothill Ct	Lot 5, Section 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5520 Foothill Ct	Lot 6, Section 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5524 Foothill Ct	Lot 7, Section 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5529 Foothill Ct	Lot 8, Section 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5533 Foothill Ct	Lot 9, Sections 14 & 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5537 Foothill Ct	Lot 10, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5541 Foothill Ct	Lot 11, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5545 Foothill Ct	Lot 12, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5549 Foothill Ct	Lot 13, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5553 Foothill Ct	Lot 14, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5557 Foothill Ct	Lot 15, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5561 Foothill Ct	Lot 16, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5565 Foothill Ct	Lot 17, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5569 Foothill Ct	Lot 18, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	5573 Foothill Ct	Lot 19, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	411 Vision Ct	Lot 20, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	415 Vision Ct	Lot 21, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	419 Vision Ct	Lot 22, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	423 Vision Ct	Lot 23, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	427 Vision Ct	Lot 24, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	431 Vision Ct	Lot 25, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	435 Vision Ct	Lot 26, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	437 Vision Ct	Lot 27, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	443 Vision Ct	Lot 28, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	447 Vision Ct	Lot 29, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	451 Vision Ct	Lot 30, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	455 Vision Ct	Lot 31, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	459 Vision Ct	Lot 32, Section 14, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	463 Vision Ct	Lot 33, Sections 14 & 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	
	TA19-0020	467 Vision Ct	Lot 34, Section 23, Township 28, SDYD, Plan EPP117728	Rezone from P3 to RU2	



MAP "4" RU2 REZONINGS
File Z22-0056 Part 1 of 2

RU2 Rezoning

 P3 to RU2

34 Lots



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

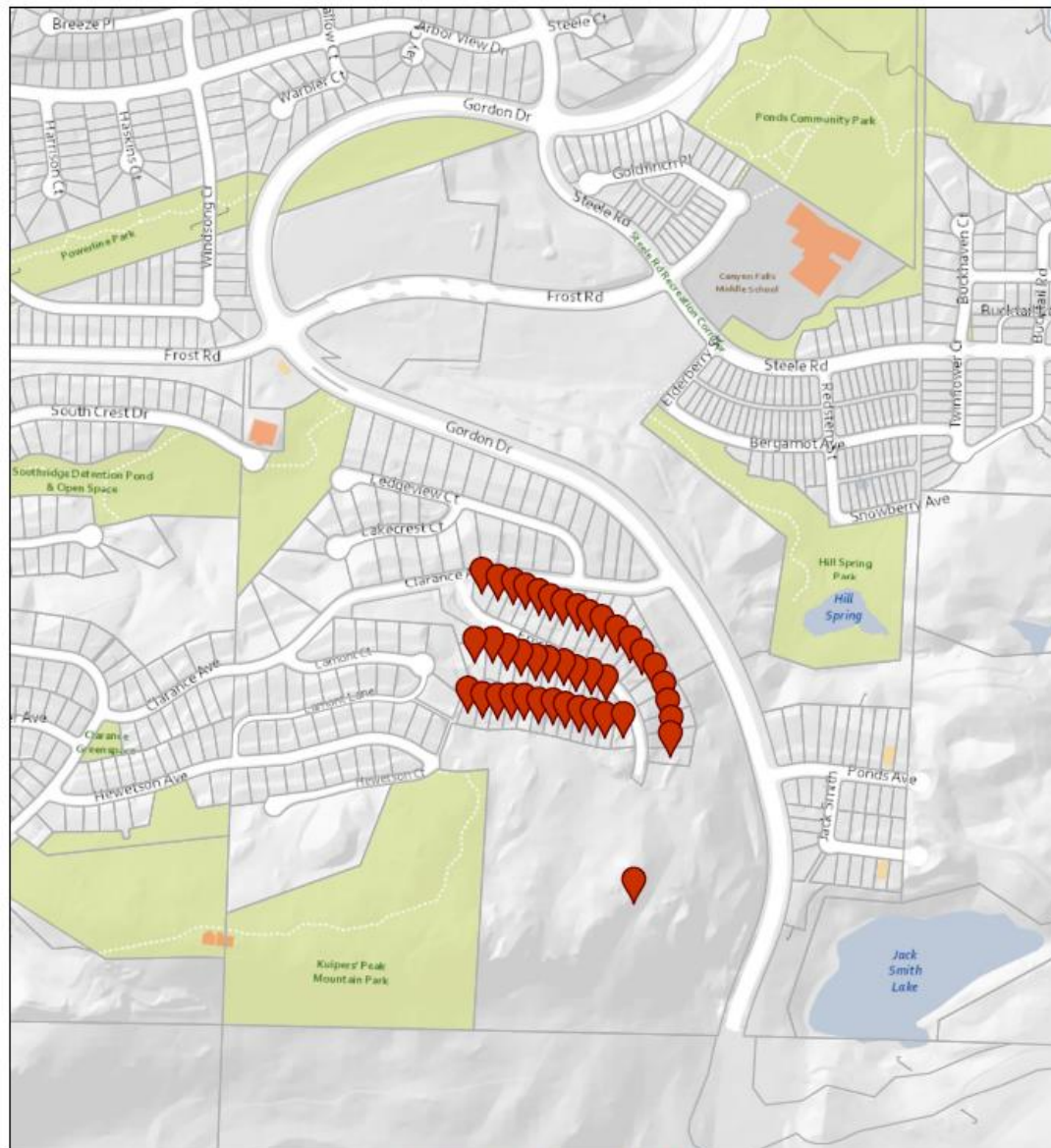


Rev. Thursday, January 19, 2023

No.5 – RU2 Rezoning




No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
5.	Z19-0103	5200 Gordon Dr	Lot S ½, District Lot 579, Plan Epp107510	Rezone RU1 portions to RU2 and leave P3 portions as is.	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.
	Z19-0103	1004 Emslie St	Lot 1, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1008 Emslie St	Lot 2, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1012 Emslie St	Lot 3, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1016 Emslie St	Lot 4, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1018 Emslie St	Lot 5, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1022 Emslie St	Lot 6, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1026 Emslie St	Lot 7, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1030 Emslie St	Lot 8, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1034 Emslie St	Lot 9, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1038 Emslie St	Lot 10, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1042 Emslie St	Lot 11, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1046 Emslie St	Lot 12, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1050 Emslie St	Lot 13, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1054 Emslie St	Lot 14, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1058 Emslie St	Lot 15, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1062 Emslie St	Lot 16, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1066 Emslie St	Lot 17, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1070 Emslie St	Lot 18, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1120 Collinson Ct	Lot 19, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1114 Collinson Ct	Lot 20, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	
	Z19-0103	1108 Collinson Ct	Lot 21, District Lot 579, Plan EPP107510	Rezone from RU1 to RU2	

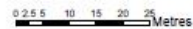


MAP "5" RU2 REZONINGS
File Z22-0056 Part 1 of 2

RU2 Rezonings

 RU1 to RU2

41 Lots



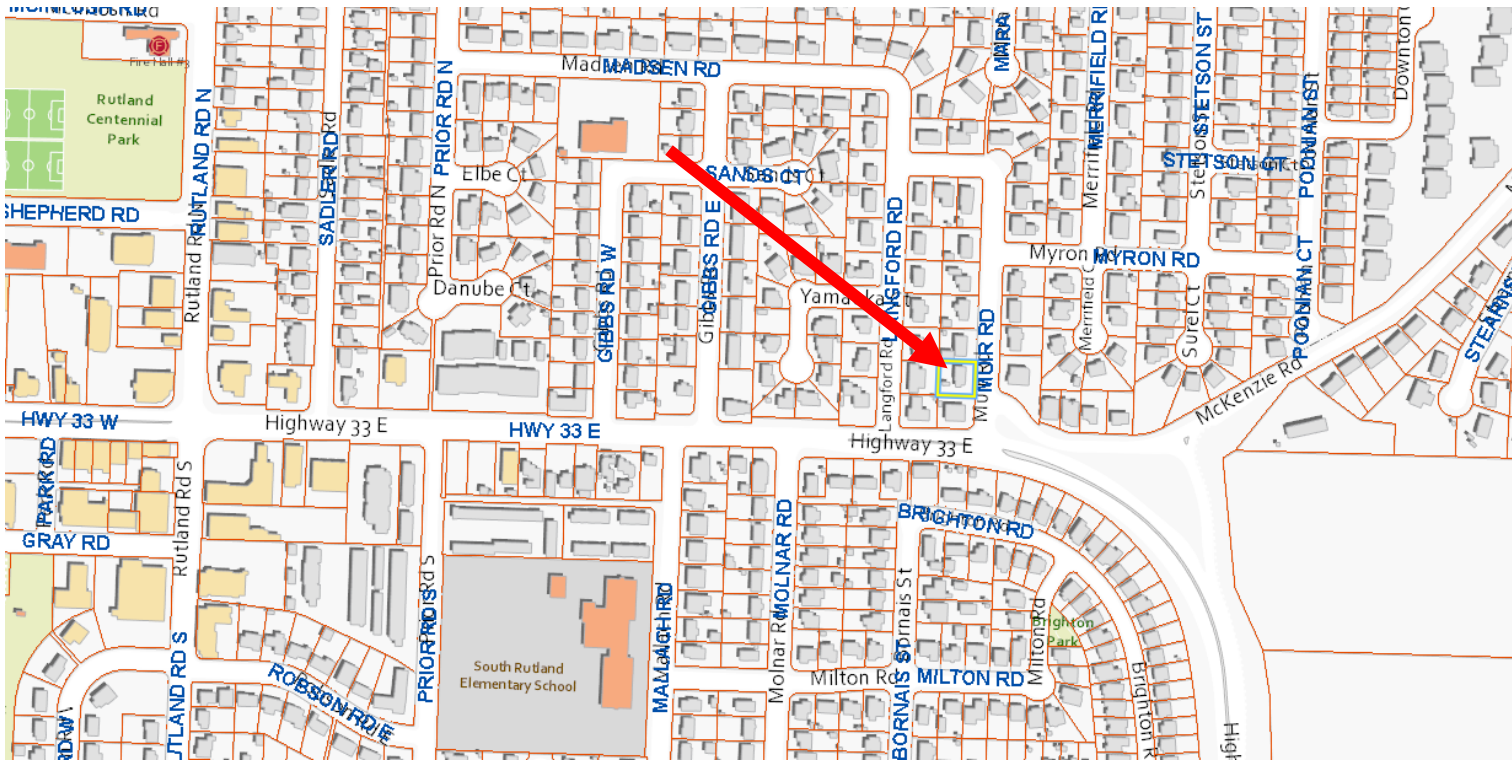
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



Rev. Thursday, January 19, 2023

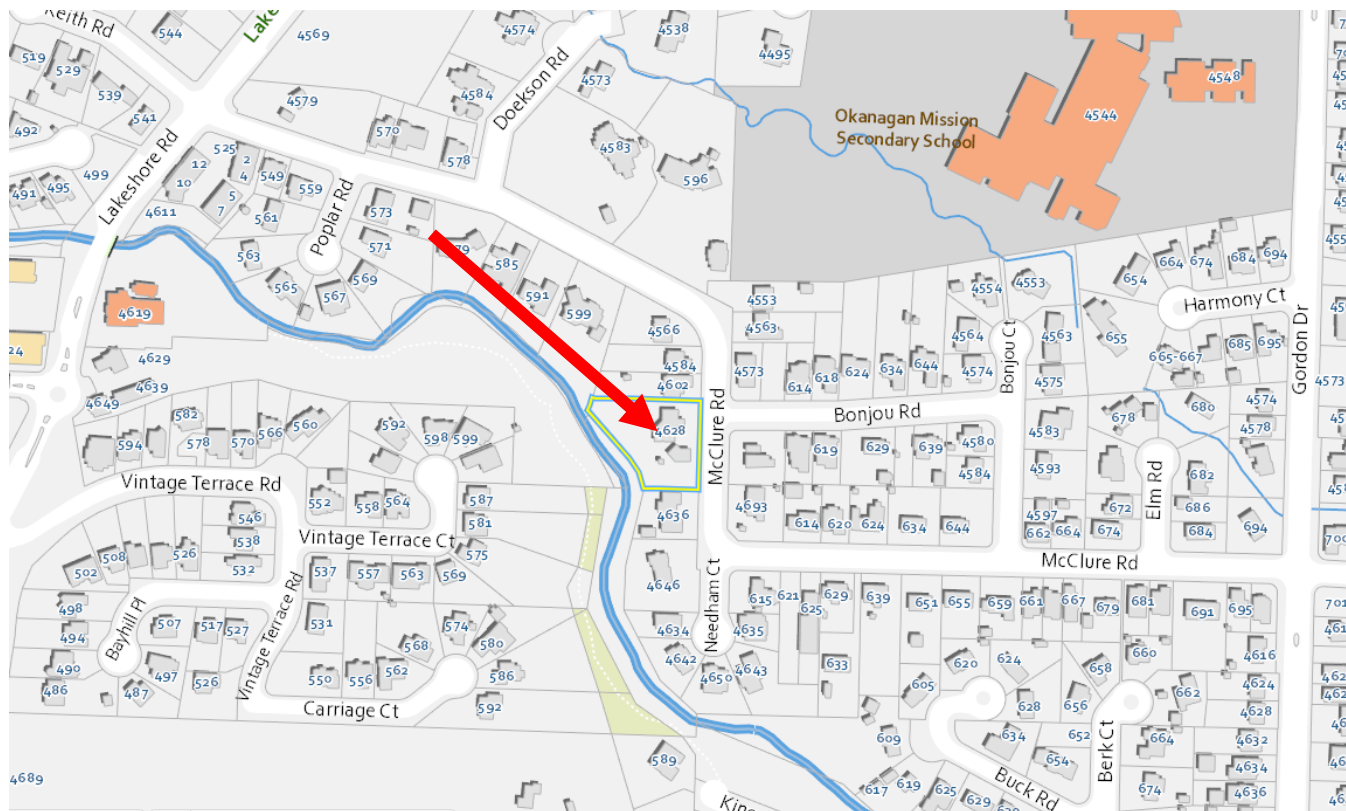
No.6 – 140 Muir Rd

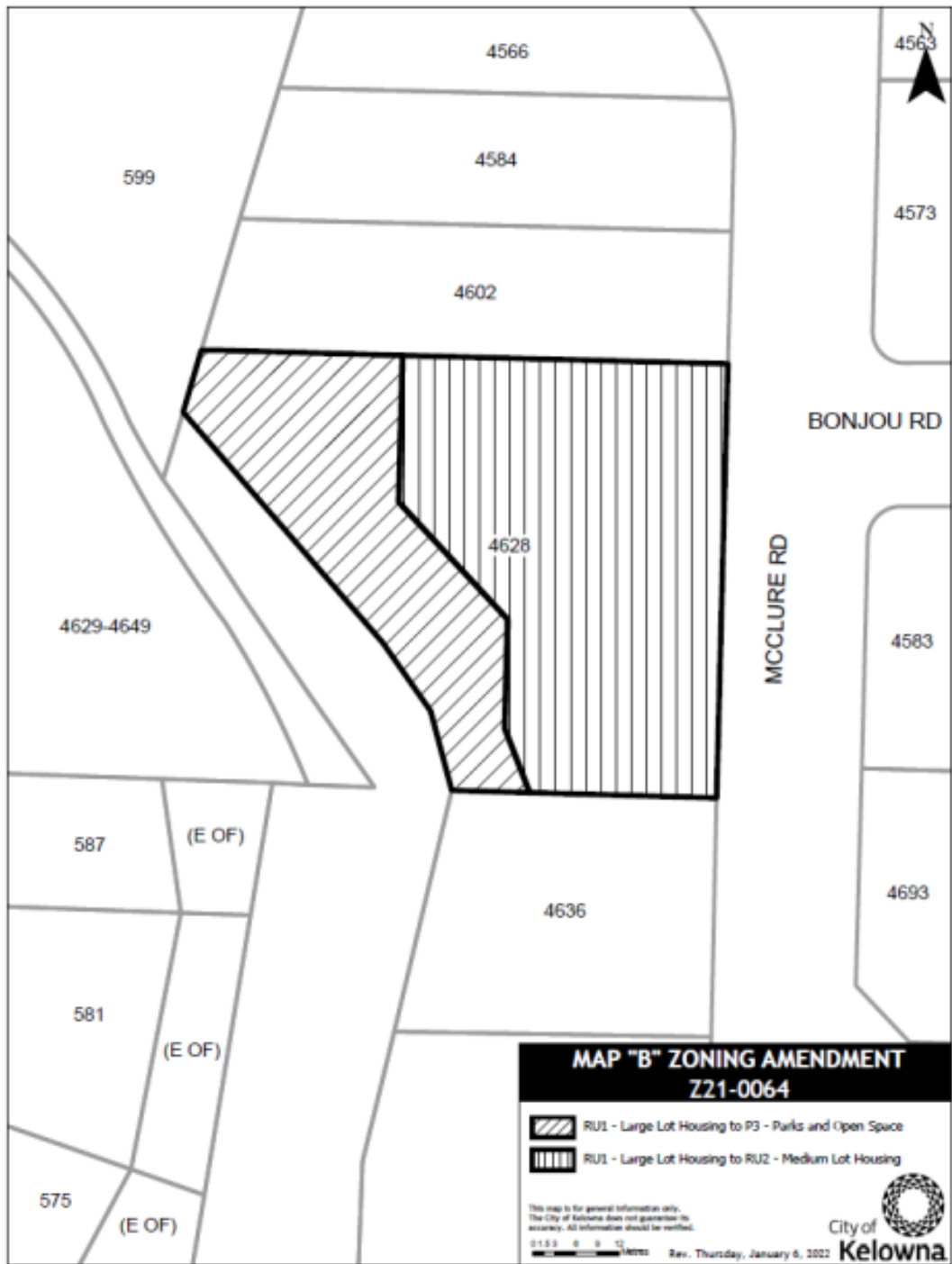
No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
6.	Z22-0016	140 Muir Rd	Lot 19, Section 26, Township 26, ODYD, Plan KAP15377	Rezone from RU1 to RU2	This rezoning application was adopted under Bylaw 8000. The recommended changes are to align the new Zoning Bylaw 12375 with these previously adopted bylaws.



No.7 – 4628 McClure Rd

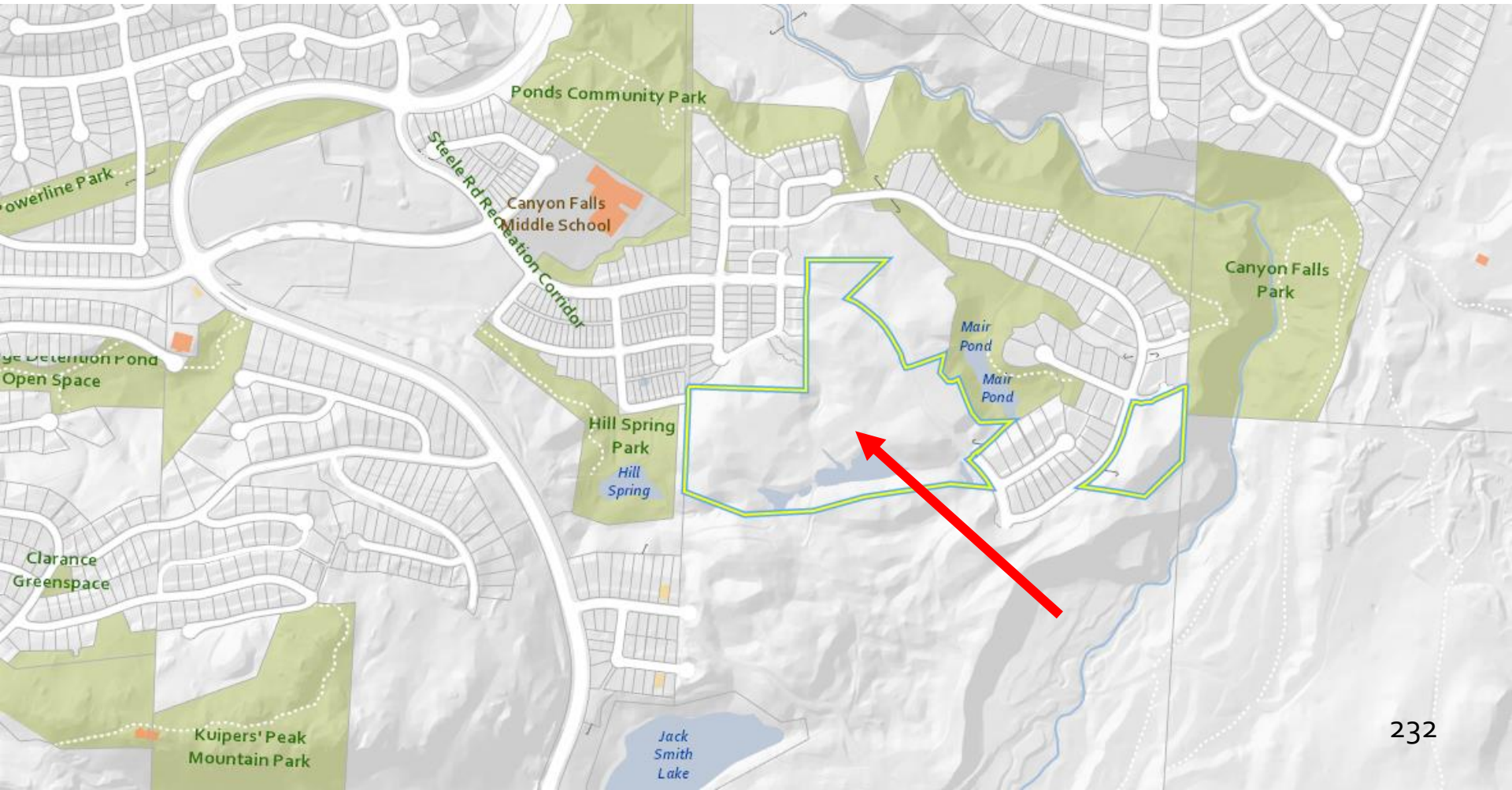
► Split Zoning to RU2 & P3

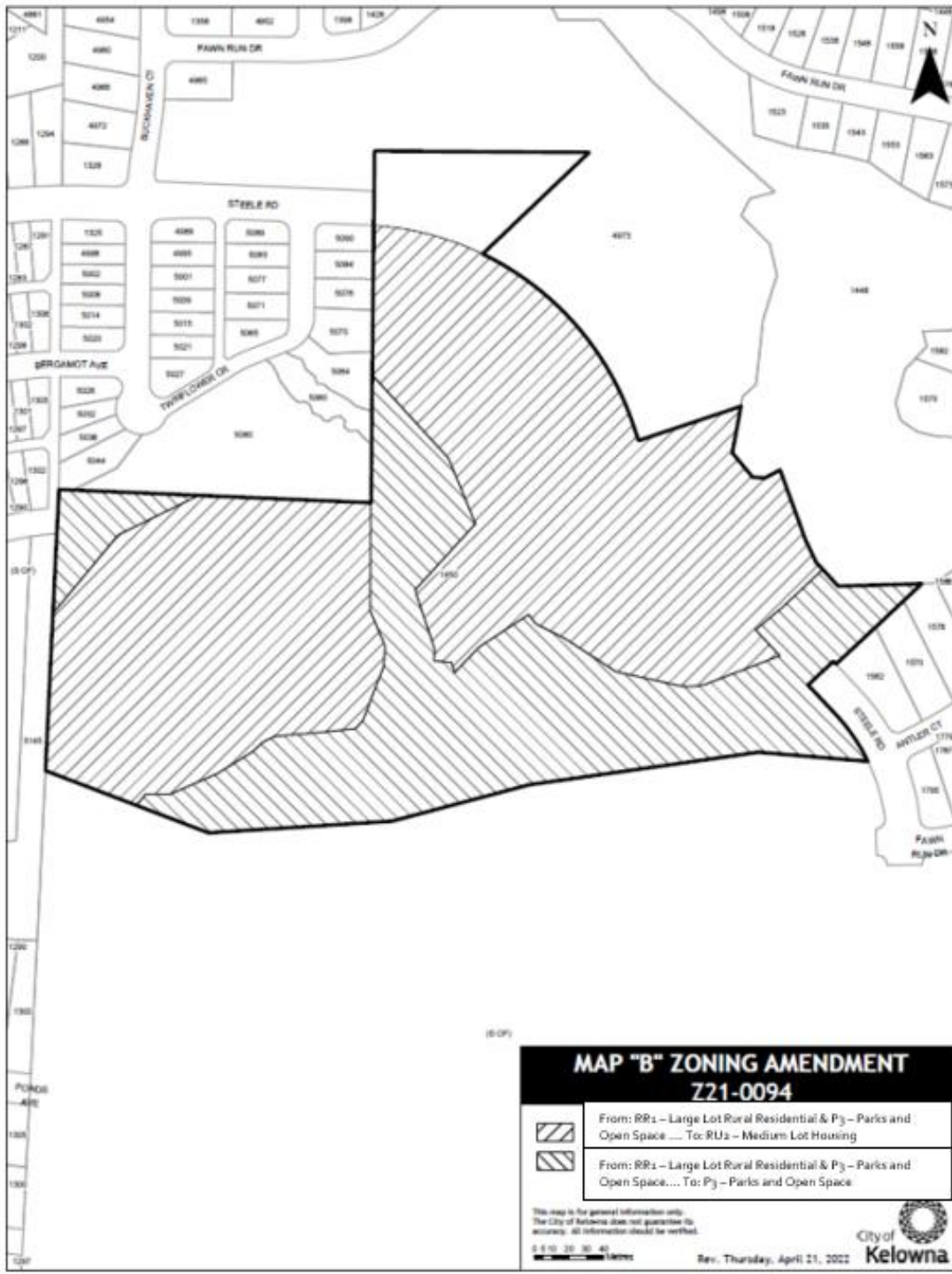




No.8 – 1450 Steele Rd

► Split Zoning to RU2 & P3





**MAP "B" ZONING AMENDMENT
Z71-0094**

-  From: RR1 – Large Lot Rural Residential & P3 – Parks and Open Space ... To: RU2 – Medium Lot Housing
-  From: RR1 – Large Lot Rural Residential & P3 – Parks and Open Space... To: P3 – Parks and Open Space

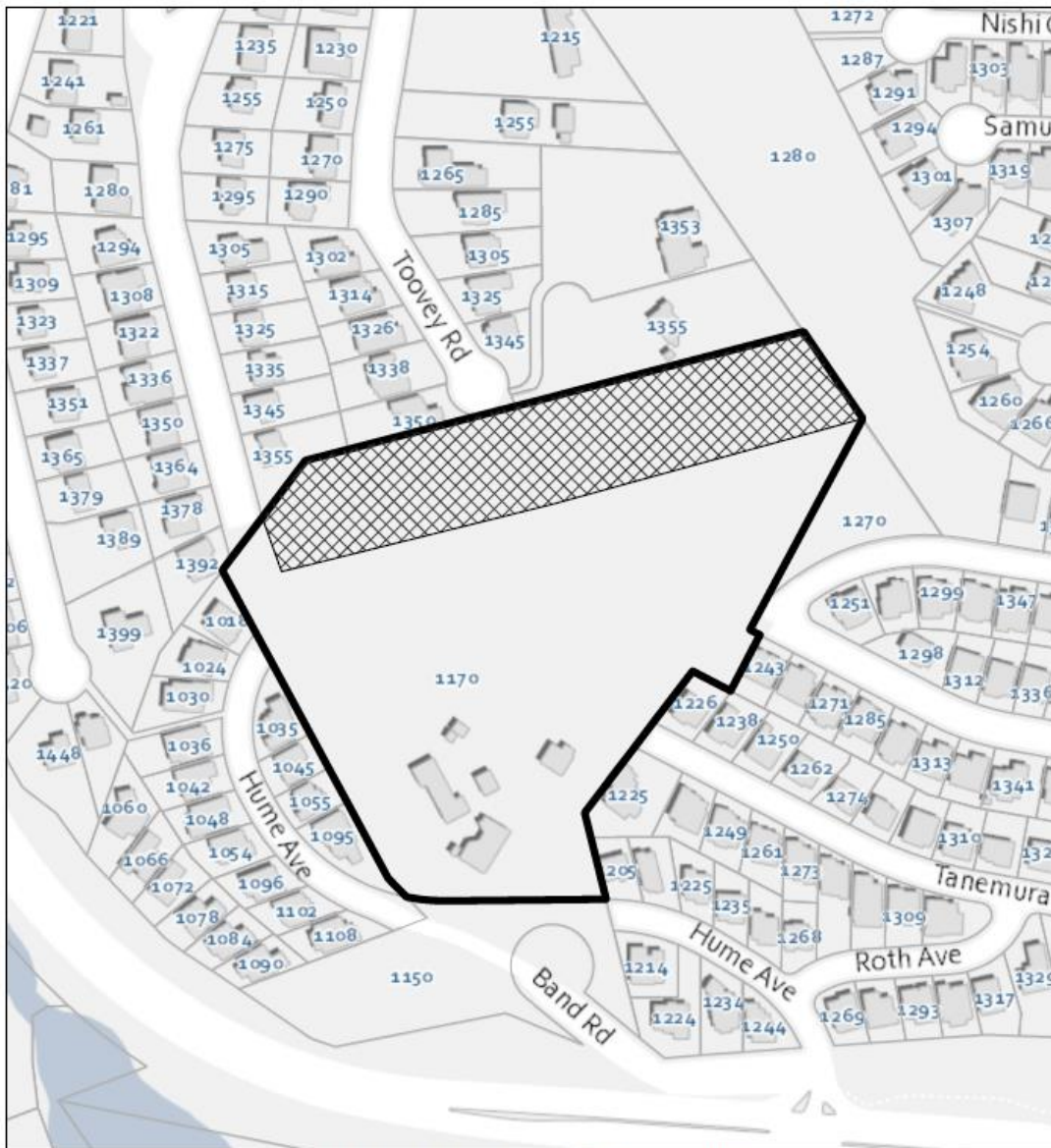
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No.9 – 1170 Band

► Rezone portion of P₃ to RR₁


No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
9.	n/a	1170 Band Rd	Lot A, Section 13, Township 26, ODYD, Plan EPP19642	Rezone as per: Map 10 1170 Band Rd	The overall bylaw changed OCP Park designated areas to the P ₃ zone but was intended to be on areas that are not future development areas (like Mission Creek, regional parks, etc.). Therefore, the P ₃ portion of the parcel should be determined through the rezoning process.



MAP "10" 1170 BAND RD REZONING
File Z22-0056 Part 1 of 2

1170 Band Rd

 Subject Property

 From P3 - Parks and Open Space to RR1 - Large Lot Rural Residential



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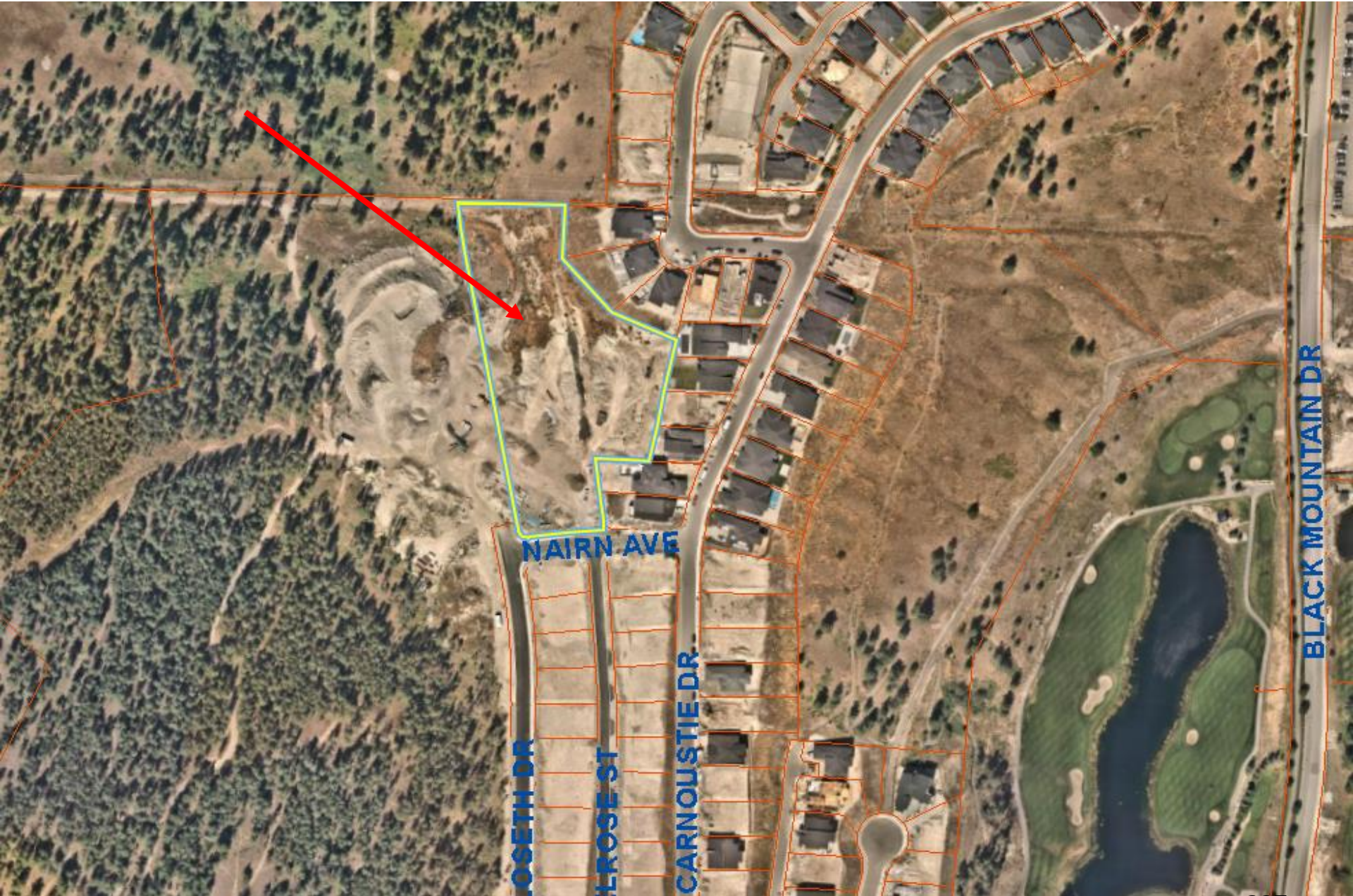
Rev. Friday, February 3, 2023

No.10 – (W of) Carnoustie Dr

► Rezone from RU₅ to RU₂

No.	Original Zoning File #	Address	Legal Description	Rezoning Details	Reason for Change
10.	n/a	(W of) Carnoustie Dr	Lot 23, Section 19 & 24, Township 26 & 27, ODYD, Plan EPP75803	Rezone from RU ₅ to RU ₂	The new Zoning Bylaw deleted the original custom hillside zones that was assigned to this property. The new Zoning Bylaw assumed this property was a bareland strata lot. However, to provide flexibility in subdivision design, the RU ₂ zone allows for a traditional freehold subdivision.

(W of) Carnoustie Dr



Staff Recommendation

- ▶ Staff recommend the bylaw (Z22-0056) Part 1 of 2 be forward to Public Hearing

CITY OF KELOWNA

BYLAW NO. 12483

Z22-0056

Multiple Addresses

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 13 Township 26 ODYD Plan KAP54818 located on Lewis Rd, Kelowna, BC from the RR2 – Small Lot Rural Residential zone to the RR2c – Small Lot Rural Residential with Carriage House zone;
2. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 1 Section 16 Township 28 SDYD Plan 34351, located on Rimrock Rd, Kelowna, BC from the A2 - Agriculture / Rural Residential zone to the RR2c – Small Lot Rural Residential with Carriage House zone;
3. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot A District Lot 357 ODYD Plan 18635, located on Barnaby Rd, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RR1c – Large Lot Rural Residential with Carriage House zone;
4. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 19 Section 26 Township 26 ODYD Plan 15377, located on Muir Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 - Medium Lot Housing zone;
5. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot A Section 13 Township 26 ODYD Plan EPP19642 Except Plan EPP122639, located on Band Rd, Kelowna, BC from the P3 – Parks and Open Space zone to the RR1 – Large Lot Rural Residential zone as shown on Map "A" attached to and forming part of this bylaw;
6. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot D District Lot 167 and Section 25 Township 28 SDYD Plan KAP53791, located on McClure Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the P3 – Parks and Space zone and the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone as shown on Map "B" attached to and forming part of this bylaw;
7. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot A Sections 20 and 29 Township 29 SDYD Plan KAP44335 Except Plans KAP92565, EPP23066, EPP31364, EPP51781, EPP72348, EPP82001, and EPP100536, located on Steele Rd, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RR1c – Large Lot Rural Residential with Carriage House zone as shown on Map "C" attached to and forming part of this bylaw;
8. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of The South 1/2 District Lot 579 SDYD Except Plans KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670, EPP22118, EPP55798, EPP45189, EPP72926, EPP74481, EPP77194 and EPP107510, located on Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone as shown on Map "D" attached to and forming part of this bylaw;

9. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 23 Section 24 Township 26 and Section 19 Township 27 ODYD Plan EPP75803 Except Part in Plan EPP116512, located on Carnoustie Dr, Kelowna, BC from the RU5 – Multiple Single Detached Housing zone to the RU2 - Medium Lot Housing zone;
10. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of:
 - a. Lot 7 District Lot 358 ODYD Plan 27079, located on Del Monte Ct, Kelowna, BC;
 - b. Lot 83 Section 24 Township 26 ODYD Plan 24631, located on Brighton Rd, Kelowna, BC;
 - c. Lot 50 Section 6 Township 23 ODYD Plan 42134, located on Merlin Ct, Kelowna, BC;
 - d. Lot 17 Section 23 Township 28 SDYD Plan KAP53665, located on Viewcrest Ct, Kelowna, BC;
 - e. Lot 149 Section 13 Township 26 ODYD Plan 24361, located on Feedham Ave, Kelowna, BC;
 - f. Lot A District Lot 358 ODYD Plan 18535, located on Nathan Rd, Kelowna, BC;
 - g. Lot 1 Section 35 Township 26 ODYD Plan KAP55899, located on Fitzpatrick Rd, Kelowna, BC;
 - h. Lot 3 District Lot 358 ODYD Plan 26534, located on Paret Pl, Kelowna, BC;
 - i. Lot 11 Section 35 Township 26 ODYD Plan 24739, located on Sumac Rd E, Kelowna, BC;

from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.

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

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

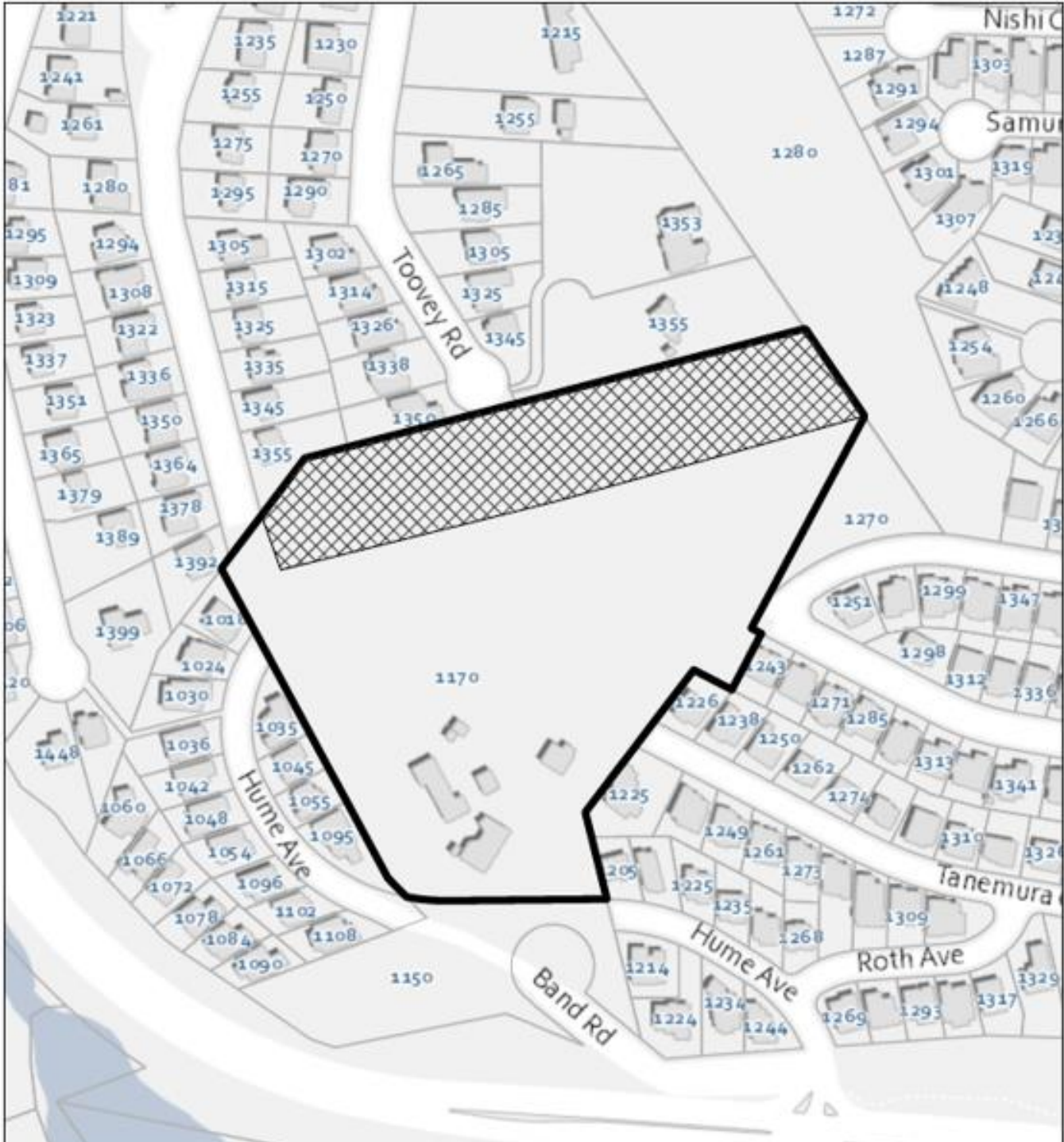
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



**MAP "A" REZONING AMENDMENT
Z22-0056**

1170 Band Rd

-  Subject Property
-  From P3 - Parks and Open Space to RR1 - Large Lot Rural Residential

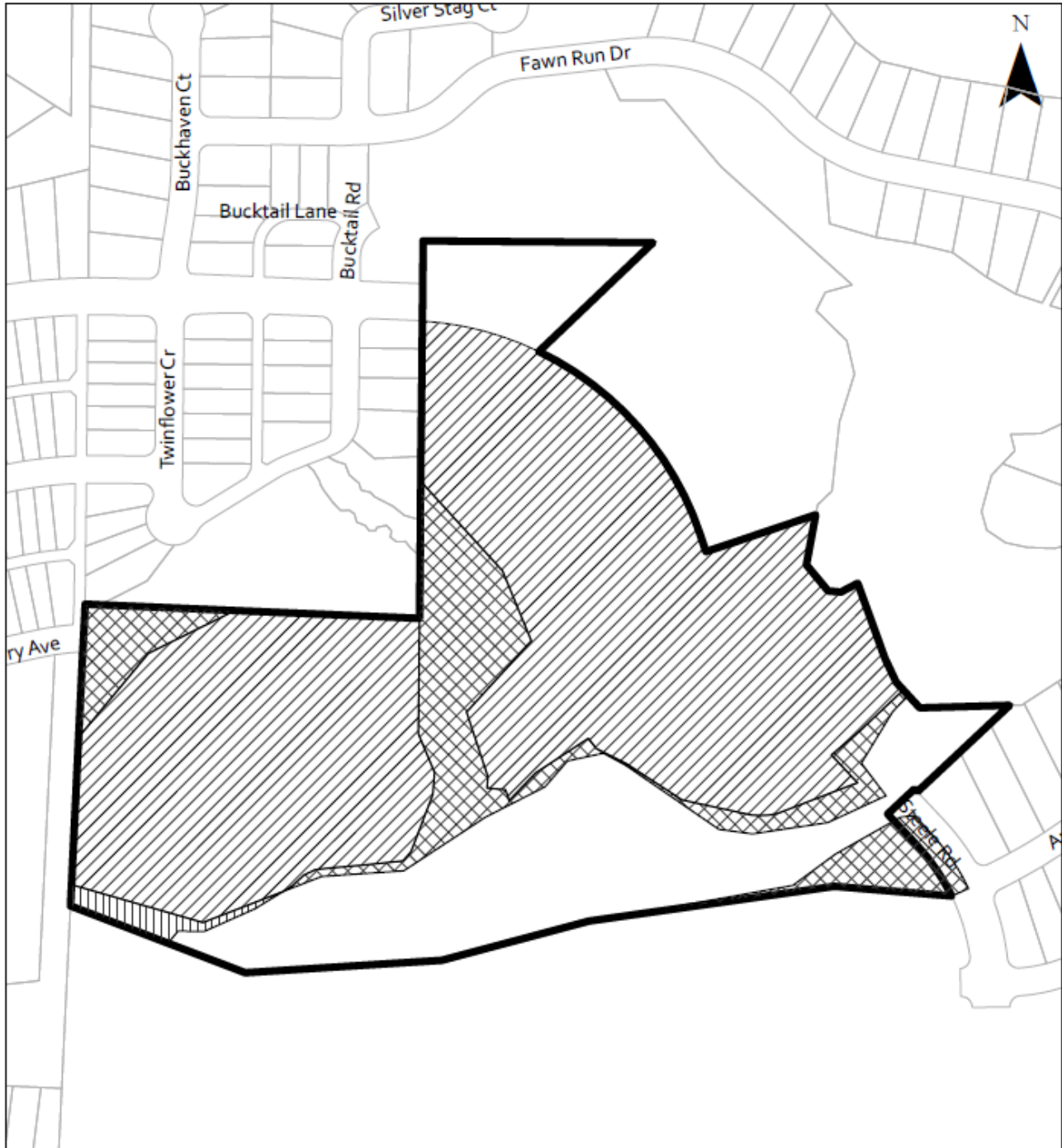


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Rev. Friday, February 3, 2023





MAP "C" REZONING AMENDMENT
File Z22-0056

1450 Steele Rd

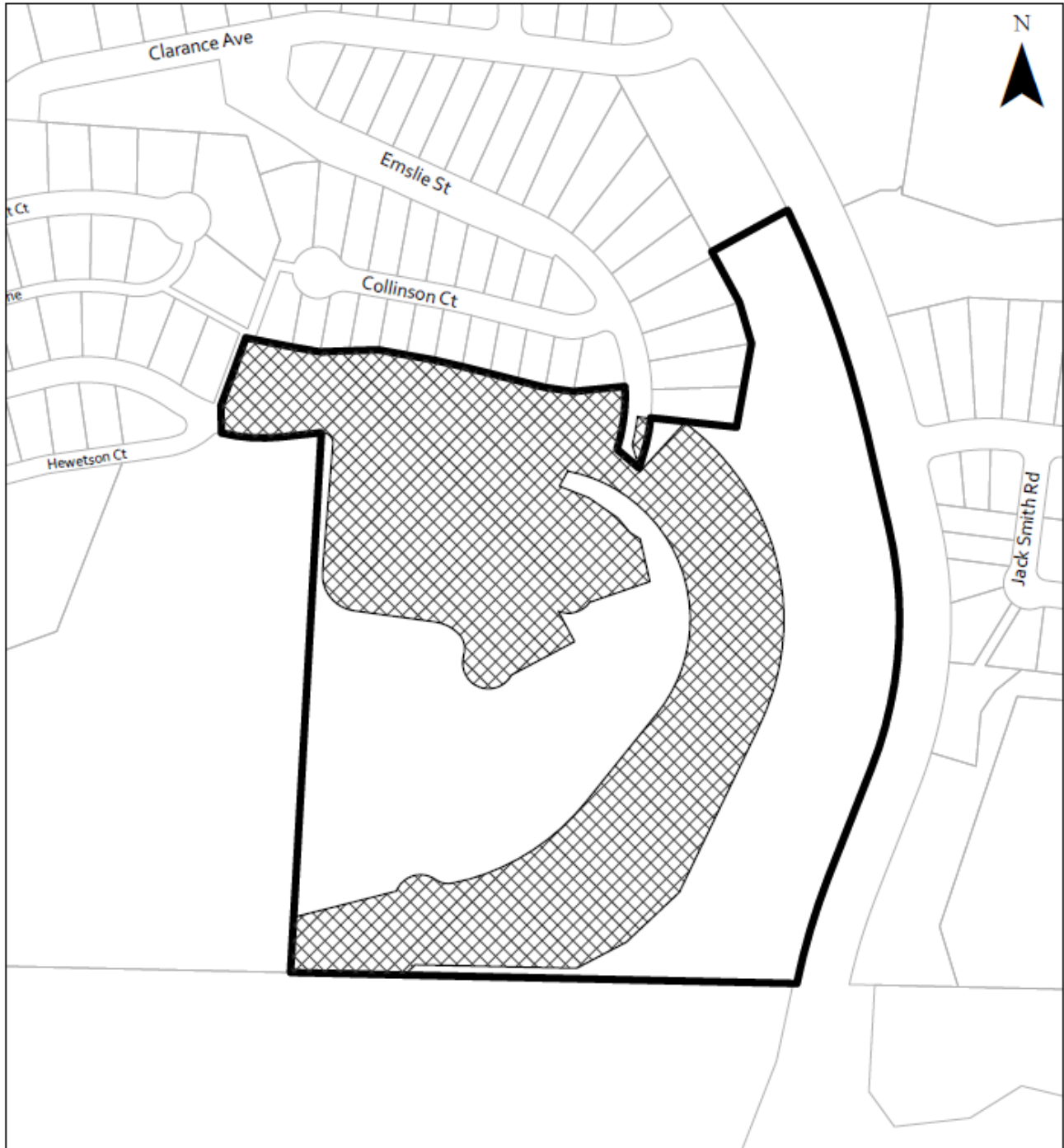
-  Subject Property
-  From RR1 - Large Lot Rural Residential To P3 - Parks and Open Space
-  From RR1 - Large Lot Rural Residential To RU2 - Medium Lot Housing
-  From P3 - Parks and Open Space To RU2 - Medium Lot Housing



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accuracy. All information should be ver





Rev. Friday, February 17, 2023



MAP "D" REZONING AMENDMENT
Z22-0056

5200 Gordon Drive

-  Subject Property
-  From RU1 - Large Lot Residential To RU2 - Medium Lot Housing



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 accuracy. All information should be verified.



Rev. Thursday, February 16, 2023

CITY OF KELOWNA

BYLAW NO. 12490

Z22-0056

Multiple Addresses

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 District Lot 357 ODYD Plan EPP118918, located on Fordham Road, Kelowna, BC;
 - b. Lot 2 District Lot 357 ODYD Plan EPP118918, located on Fordham Road, Kelowna, BC;
 - c. Lot A Section 29 Township 26 ODYD Plan EPP125145, located on Highland Drive North, Kelowna, BC;
 - d. Lot B Section 29 Township 26 ODYD Plan EPP125145, located on Highland Drive North, Kelowna, BC;
 - e. Lot 1 District Lot 357 SDYD Plan EEP124963, located on Barnaby Road, Kelowna, BC;
 - f. Lot 2 District Lot 357 SDYD Plan EEP124963, located on Barnaby Road, Kelowna, BC;
 - g. Lot B District Lot 358 ODYD Plan 32043, located on Greene Road, Kelowna, BC;
 - h. Lot 23 District Lot 143 ODYD Plan 21429, located on Franklyn Road, Kelowna, BC;
 - i. Lot A Section 22 Township 26 ODYD Plan 29966, located on Gerstmar Road, Kelowna, BC;
 - j. Lot A District Lot 357 SDYD Plan 18353, located on Gordon Drive, Kelowna, BC;
 - k. Lot B District Lot 357 SDYD Plan 18353, located on Gordon Drive, Kelowna, BC;
 - l. Lot 6 Section 8 Township 23 ODYD Plan 20895, located on Clifton Road North, Kelowna, BC;
 - m. Lot 13 District Lot 357 SDYD Plan 18280, located on McClure Road, Kelowna, BC;
 - n. Lot 45 District Lot 358 ODYD Plan 40481, located on Dehart 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 time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12491

Z22-0056

Multiple Addresses

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 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - b. Lot 2 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - c. Lot 3 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - d. Lot 4 Sections 23 & 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - e. Lot 5 Sections 23 & 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - f. Lot 6 Section 23 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - g. Lot 7 Section 23 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - h. Lot 8 Section 23 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - i. Lot 9 Sections 23 & 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - j. Lot 10 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - k. Lot 11 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - l. Lot 12 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - m. Lot 13 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - n. Lot 14 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - o. Lot 15 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - p. Lot 16 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - q. Lot 17 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - r. Lot 18 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - s. Lot 19 Section 14 Township 28 SDYD Plan EPP117728, located on Foothill Court, Kelowna, BC;
 - t. Lot 20 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
 - u. Lot 21 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;

- v. Lot 22 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- w. Lot 23 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- x. Lot 24 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- y. Lot 25 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- z. Lot 26 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- aa. Lot 27 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- bb. Lot 28 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- cc. Lot 29 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- dd. Lot 30 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- ee. Lot 31 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- ff. Lot 32 Section 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- gg. Lot 33 Sections 23 & 14 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;
- hh. Lot 34 Section 23 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC;

from the P3 – Parks and Open Space zone to the RU2 – Medium Lot Housing zone.

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

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12492

Z22-0056

Multiple Addresses

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 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - b. Lot 2 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - c. Lot 3 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - d. Lot 4 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - e. Lot 5 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - f. Lot 6 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - g. Lot 7 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - h. Lot 8 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - i. Lot 9 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - j. Lot 10 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - k. Lot 11 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - l. Lot 12 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - m. Lot 13 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - n. Lot 14 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - o. Lot 15 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - p. Lot 16 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - q. Lot 17 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - r. Lot 18 District Lot 579 SDYD Plan EPP107510, located on Emslie Street, Kelowna, BC;
 - s. Lot 19 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - t. Lot 20 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - u. Lot 21 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - v. Lot 22 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - w. Lot 23 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - x. Lot 24 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - y. Lot 25 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - z. Lot 26 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - aa. Lot 27 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - bb. Lot 28 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - cc. Lot 29 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - dd. Lot 30 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - ee. Lot 31 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - ff. Lot 32 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - gg. Lot 33 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - hh. Lot 34 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
 - ii. Lot 35 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;

- jj. Lot 36 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
- kk. Lot 37 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
- ll. Lot 38 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
- mm. Lot 39 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;
- nn. Lot 40 District Lot 579 SDYD Plan EPP107510, located on Collinson Court, Kelowna, BC;

from the Ru1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone.

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

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: February 27, 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 February 27, 2023 with respect to two rezoning applications;

AND THAT Rezoning Bylaws No. 12479 and 12481 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaws No. 12479 and 12481 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 two Rezoning Applications were brought forward to Council for initial consideration on February 6, 2023. Notice of first reading was completed as outlined above.

Correspondence was received as per the following table:

Address	Application	Bylaw	Recommended Readings	Correspondence Received
1065 Hoover Rd	Z21-0098	12479	1 st , 2 nd , 3 rd	0
1975 Union Rd	Z21-0056	12481	1 st , 2 nd , 3 rd	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. 12479 and 12481 further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the Local Government Act, 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: N Beauchamp, Legislative Technician

Approved for inclusion: S Fleming, City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12479

Z21-0098

1065 Hoover 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 26 Township 26 ODYD Plan 19427, located on Hoover 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

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12481

Z21-0056

1975 Union 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 27 Section 4 Township 23 ODYD Plan KAP51847 located on Union Road Kelowna, BC from the C1 – Local & Neighbourhood Commercial zone to the MF3 – Apartment 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

Report to Council



Date: February 27, 2023
To: Council
From: City Manager
Subject: Area Redevelopment Plan Authorization: Casorso Neighbourhood Plan Area
Department: Policy & Planning

Recommendation:

THAT Council authorize the preparation of an Area Redevelopment Plan as outlined in the report and attached Terms of Reference from the Policy & Planning Department, dated February 27, 2023, for the following ten properties:

- Lot A, Plan 37230, District Lot 134, ODYD
- Lots 3, 4, 5, and 6, Plan 3463, District Lot 135, ODYD
- Lots 1, 2, 3, 4, and 5, Plan 10171, District Lot 135, ODYD

Purpose:

To authorize initiation of an Area Redevelopment Plan process and associated Terms of Reference for the Casorso Neighbourhood Plan Area.

Background:

An application has been received for an Area Redevelopment Plan (ARP) for 3535 Casorso Road which would envision an extensive redevelopment of this site. This location, and nine others directly to the north are collectively labelled the "Casorso Road Neighbourhood Plan Area" in the Official Community Plan (OCP). The OCP further identifies them as a "Special Planning Study Area" (Map 16.1) which requires completion of an ARP process before any further redevelopment process (such as rezoning or development permit) could be considered for these lands.

This report describes the ARP process and elements of a proposed Terms of Reference that will guide specific considerations for the redevelopment of this site. Staff have been in communication with the applicant over the past few months to draft this Terms of Reference and ensure coordination with other planning considerations throughout the broader area.

Discussion:

Area Redevelopment Plans

The purpose of an Area Redevelopment Plan (ARP) process is to guide redevelopment of large sites that have multiple property owners and/or complex issues. This coordinates planning work done by

both applicant and staff, community input, and Council approval into a pre-defined sequence of events. The OCP is too broad to determine appropriate land use designations in situations like this where detailed investigation is required, and a single development application is too narrow to address broader issues. Area Redevelopment Plans provide the necessary framework.

Council Policy No. 247 - *Hierarchy of Plans* - establishes the process and content of ARPs. For each, a Terms of Reference (TOR) is prepared that outlines specific requirements for the applicant. This ensures that site-specific aspects and policy considerations are incorporated into the final plan.

The ARP process is designed to be comprehensive and take account of broad issues across the City while incorporating best practices into the process. Endorsement of the application is at Council's discretion in conjunction with the content of the Terms of Reference. Following the process, Council considers approval of the final plan by way of considering an Official Community Plan amendment for the ARP site.

The Casorso Road Neighbourhood Plan Area

There are 10 properties in total within the Casorso Plan Area (Figure 1) totaling slightly less than 30 acres (12 ha). The largest of these properties, 3535 Casorso Road, contains the Central Mobile Home Park which has been well established since the 1970s. The remaining nine properties within the area are smaller, have multiple property owners, and contain single-detached homes.

The applicant purchased 3535 Casorso Road in 2020 with the intention to explore redevelopment. The OCP (Policy 5.3.4) requires the ARP for this to occur. All ten properties within the Neighbourhood Plan Area need to be considered for an effective and comprehensive plan. While the formal ARP application has only been made for the largest property, the Terms of Reference requires the applicant to consider future land use and technical implications for the nine additional properties that form the remainder of the Plan Area (Figure 1). Specific planning considerations will still be required for these properties, including future road locations and development site configuration, as well as infrastructure needs. The owners of these properties have been approached by the applicant and have also been informed of the proposed ARP by staff. No other properties have expressed interest in joining the application process or provided any feedback to staff.



Figure 1: ARP Subject Properties Map

Should the other property owners within the plan area wish to come forward in the future to formally join the applicant in the ARP process, this may require adjustments to the TOR and Council approval. The ARP process will otherwise consider future land use for these sites – an approach that is consistent with Council Policy 247. The applicant has provided a rationale in a letter contained in Attachment 1.

Terms of Reference

The Terms of Reference (TOR) is contained in Attachment 2. It has been customized to the plan area to take account of site-specific items and will ultimately guide the applicant's creation of a comprehensive plan document. The TOR was provided to the applicant for review and comment prior to its finalization and inclusion with this report.

The TOR contains two major sections: Content and Process. The first section on Content details the items that need to be analyzed and addressed in the final Plan. In some cases, this extends beyond the Plan Area boundaries. This section ensures items such as site analysis, engagement, existing tenants, housing affordability, urban design, engineering, transportation and overall concept plan development incorporate existing policy and the future needs of the City.

The second section of the TOR details the process that must be followed. It lays out the various submissions and identifies points at which public engagement and Council consideration are required. The various submissions must be provided sequentially with each building on the previous submission. A visualization of the process is contained on Page 30 of Attachment 2. Following this report, the next touch-point with Council would be to endorse the applicant's proposed Vision and Objectives for the plan area and to establish specific development entitlements (including land use and density).

Tenant Relocation

Approximately 130 mobile homeowners who lease land within the existing mobile home park will be impacted by redevelopment. The TOR requires a Tenant Relocation Plan be completed and submitted early in the ARP process. This document would be required to outline how the applicant would assist existing residents into new housing in a location of their choice that is within their financial means. Provincial legislation, largely the *Mobile Home Park Tenancy Act*, will play a considerable part in the Tenant Relocation Plan. This is consistent with Council Policy No. 229 *Mobile Home Park Redevelopment* and builds upon it, particularly in consideration of the housing challenges facing the city.

Community Engagement

The TOR includes requirements for applicant-led public engagement throughout the process. At minimum, the applicant will be required to conduct 3 separate phases of public engagement, with each to include at least 2 methods of engagement (ie in-person and online). A summary of results and how they would be addressed are also required. The TOR also establishes requirements for engagement with local indigenous groups and to report back on results in the same manner.

Coordination with other Planning Processes

Coordination of the Casorso ARP with other nearby planning initiatives is incorporated into the TOR process and content. Two other yet to be initiated City-led projects are relevant: a proposed Pandosy Urban Centre planning process as well as the Pandosy/Richter Corridor Study. These projects, and the Casorso Area Redevelopment Plan process, are all in close proximity to one another, providing opportunities for coordination and synergy of planning activities. Other major planning activities, including the Parks Master Plan process that is underway, are also integrated.

While the Pandosy/Richter Corridor Study has already been signaled through the 2023 budgeting process, endorsement from Council to proceed with dedicated planning efforts for the Pandosy Urban Centre and surrounding area is still necessary. A separate report detailing a Pandosy Urban Centre Plan process is scheduled to be brought forward for Council consideration in early March.

Proceeding with planning work specific to the Pandosy Urban Centre is not required to proceed with the Casorso ARP, and the recommendation in this report does not include endorsement of a Pandosy Urban Centre planning process. The Casorso ARP process could still move forward independently under the guidance of the TOR.

Conclusion:

Should Council endorse proceeding with the Area Redevelopment Plan, per the proposed Terms of Reference, work will begin immediately. The TOR will ensure an established and comprehensive process that includes scheduled rounds of public engagement, touchpoints with Council at key decision-making intervals, and technical review across numerous areas of municipal oversight.

Internal Circulation:

- Policy & Planning
- Development Planning
- Development Engineering
- Utilities Planning
- Parks and Buildings Planning
- Integrated Transportation
- Active Living and Culture
- Communications
- Financial Services
- City Clerk

Considerations applicable to this report:

Existing Policy:

2040 OCP Bylaw No. 12300

Objective 5.3 Design residential infill to be sensitive to neighbourhood context.	
Policy 5.3.4. Casorso Road Area Redevelopment Plan	<p>Consider redevelopment of the Casorso Road properties, as outlined on Map 16.1, only at such time as an Area Redevelopment Plan is completed, in keeping with Policy 5.3.3. This plan should be initiated by the property owners, and include at minimum, a community park of approximately 2.0 hectares in size fronting Casorso Road and linear park and pedestrian connections from Wintergreen Drive and Invermere Road to Casorso Elementary School.</p> <p><i>The subject property is located in the Casorso Road Neighbourhood Plan area, as identified in Map 16.1 of the 2040 OCP. In addition, OCP Policy No. 5.3.4. identifies that redevelopment of the Casorso Road properties should take place only at such time as an Area Redevelopment Plan is completed. This policy also speaks to specific park dedication requirements and key street connections identified as part of the OCP process.</i></p>

- 2040 Transportation Master Plan
- Development Applications Procedures Bylaw No. 12310
- Council Policy No. 229 – Mobile Home Park Redevelopment
- Council Policy No. 247 – Hierarchy of Plans

Council Policy No. 367 – Public Notification & Consultation for Development Applications
Council Policy No. 372 – Engage

Financial/Budgetary Considerations:

Should Council authorize the development of the Casorso ARP, the applicant team would provide a total of \$135,000 in funding to support additional staffing and consultant resources. As endorsed by Council in the 2023 Financial Plan, the Project Planning Coordinator (term position) resource is in the process of being brought on board to participate in the project.

As part of the staff review of the Casorso Site ARP, a full evaluation of the long-term infrastructure costs and revenues associated with the development will be undertaken using the City's ModelCity Infrastructure analysis tool.

Submitted by:

Daniel Sturgeon, Planner Specialist

Approved for inclusion:



R. Miles, Long Range Policy Planning Manager

cc:

R. Smith, Divisional Director, Planning & Development Services

C. Weaden, Divisional Director, Corporate Strategic Services

D. Edstrom, Divisional Director, Partnership & Investments

J. Gabriel, Divisional Director, Active Living & Culture

J. Sass, Divisional Director, Financial Services

Attachments:

Attachment 1: Letter from applicant, dated January 23, 2023

Attachment 2: Casorso ARP Terms of Reference



City of Kelowna
Danielle Noble-Brandt
City of Kelowna
1435 Water Street
Kelowna, BC
V1Y 1J4

Originally Sent: June 3, 2022
Updated: January 23, 2023

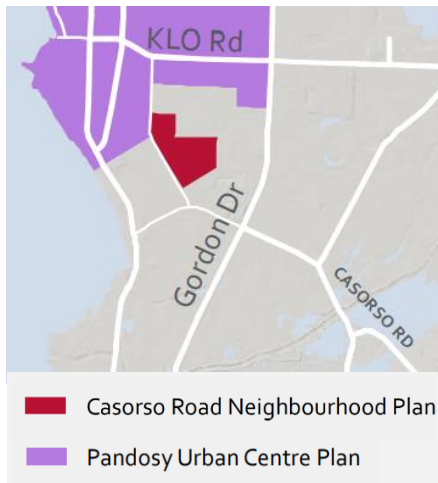
Dear Ms. Noble-Brandt

RE: 3535 Casorso Road Area Redevelopment Plan - Request to Proceed

Further to our previous meetings about our property at 3535 Casorso Road, we are very excited to submit our formal request for Council permission to commence the Area Redevelopment Plan process for this area. We know that the master planning process can take time, so we believe that now is the right time to move forward with beginning the planning process.

Since establishing in the Kelowna market, Kerkhoff: Develop-Build has built hundreds of new purpose built rental homes and for sale homes in the Kelowna area. We are proud to have built Executive House, Kelowna's very first concrete frame tower in the early 1980s, as well as recently completing the One Water Street towers, contributing toward the vitality of downtown Kelowna. Kerkhoff: Develop-Build purchased the Central Mobile Home Park at 3535 Casorso Road in July, 2020. Our plan is to eventually transform this centrally located and highly walkable 25 Acre property into a compact, sustainable and vibrant neighborhood community. We believe that our strong reputation and proven ability to deliver successful projects make this project a unique opportunity to redefine this special part of the community, so are excited to seek Council's support to begin the Area Redevelopment Plan process.

We would like to congratulate the City on their recent adoption of the updated Official Community Plan, acknowledging the key direction provided by residents through the Imagine Kelowna initiative, which focusses on creating connected, denser and more sustainable places. Following such extensive public engagement, we were pleased to see the 3535 Casorso Road area being identified for an Area Redevelopment Plan. We acknowledge the Official Community Plan's call for pedestrian connection and park space within the area, the 1:1 replacement of affordable housing, as well as other important policy direction. We look forward to working with residents and the community to support an engaged process that creates the kind of place envisioned by the Official Community Plan, and sensitively renews the aging homes that presently exist on the property – with the manufactured homes on site currently averaging over 44 years in age.



“Consider redevelopment of the Casorso Road properties, as outlined on Map 16.1, only at such time as an Area Redevelopment Plan is completed, in keeping with Policy 5.3.3. This plan should be initiated by the property owners, and include at minimum, a community park of approximately 2.0 hectares in size fronting Casorso Road and linear park and pedestrian connections from Wintergreen Drive and Invermere Road to Casorso Elementary School”.

*Bylaw No. 12300 – Kelowna 2040 OCP
(Adopted on January 10, 2022)*

Since purchasing the property, Kerkhoff: Develop-Build has regularly communicated with current tenants, and committed to transparency and fairness in our dealings with them. In line with the Council policy, we will prepare a detailed Tenant Relocation Plan prior to submitting a Zoning application, which will identify a strategy to support the sensitive relocation of current tenants within the park. Since 2018, the Manufactured Home Park Tenancy Act was revised by the Province to include more stringent requirements for developers to follow when re-developing manufactured home parks. We will meet (and likely exceed) all of these requirements, having already engaged a seniors housing advocacy organization to support the successful relocation of all tenants. We know of several manufactured home sales in the park that have fallen through when buyers become aware that a developer has bought the property, which has caused some concern amongst the tenants. We recognize the anguish that this transitional period can cause people, prompting us to move forward with a request to prepare an Area Redevelopment Plan, and get closer to providing tenants with certainty, viable options and appropriate compensation, as we get closer to a formal Zoning Amendment request.

With average home prices in the Central Okanagan having surpassed the million dollar benchmark in December, 2021, and then rapidly hitting \$1,129,000 in March, 2022, we all know how acute the housing crisis is in our region. We must commend the City of Kelowna for their strong leadership in creating an effective approvals process, and for developing the Community Trends Report, Healthy Housing Strategy, and Housing Needs Assessment. As the Province prepares legislation to streamline and expedite approvals in British Columbia, and the Federal Finance Minister highlighting that, “over the next ten years, we will double the number of new homes that we build. This must become a great national effort, and it will demand a new spirit of collaboration”. It is our hope that we can be part of this drive to provide substantial new housing options for Kelowna.

In discussions with Staff, we understand that along with Council support to initiate the Area Redevelopment Plan, a detailed scope and terms of reference will be confirmed. The Hierarchy of Plans Policy provides guidance for plan content and process for applicant led proposals, which will be closely followed. Furthermore, Staff have recommended the following content that was used for the larger 40 Acre Mill Site Area Redevelopment Plan, which we also feel will ensure that the critical elements are considered for the Casorso Road Area Redevelopment Plan:

- Direction from other relevant bylaws, plans and policies
- Environmental and hazardous conditions analyses
- Land use (e.g.: residential, mixed-use, commercial, industrial, institutional)
- Development potential and building heights
- Housing and affordability strategies
- Parks and public spaces
- Urban design approaches
- Heritage conservation strategies
- Recreation and cultural facilities needs
- Transportation and mobility strategies
- Utility servicing strategies and infrastructure requirements
- Phasing and implementation strategy

We are aware of the capacity challenges that staff are currently facing, as they complete other Planning projects and keep up with the high volume of development that is occurring in the community. While applicant-led and funded plans require only scope confirmation and review from Staff, compared to City led projects, our offer would be to fund a term contract Planner position for one year, as was recently supported when the Mill Site Area Redevelopment Plan was endorsed by both Staff and Council. This position would add capacity to the City's team, while providing a collaborative solution to creating additional housing supply for the future of Kelowna.

“Municipalities can play a critical role in ensuring the right supply is built and contribute to the affordability of new developments through direct contributions, speeding up the approvals process, and creating greater certainty for approvals.”

*Prof. Carolyn Whitzman
University of Ottawa*

We have begun assembling a team of both domestic and international professionals to begin master-planning this truly spectacular site, and look forward to developing an inspired plan that is crafted in collaboration with the community. We have connected with property owners inside the plan area boundary, and will continue working with the owners closely through the planning process. The total Area Redevelopment Plan boundary includes 30.43 Acres, comprised of the following properties: 3433/3445/3453/3461/3469/3501/3535 Casorso Road, and 843/857/871 Lanfranco Road. The Kerkhoff holdings represent approximately 75% of the plan area. City correspondence identified that “an ARP shall be prepared or submitted by the owner (or owners) of the majority of land within the plan area, or by consultants acting on their behalf”. We look forward to working collaboratively with internal plan area stakeholders, and the broader community, once the process is allowed to begin.

The Kelowna 2040 OCP identifies the Casorso Road Area Redevelopment Plan as an independent plan, located adjacent to

the Pandosy Urban Centre Plan area. This is unlike the Mill Site Area Redevelopment Plan, which lies directly within the North End Neighbourhood Plan boundaries that were established by Council. Recognizing the importance of planning a cohesive neighbourhood, our vision is to complete the Casorso Area Redevelopment Plan, which will establish important baseline data and analysis that can then successfully inform the neighbouring Pandosy Urban Centre Plan process, which we understand is intended to begin shortly. We believe that this approach allows the developer-led (and funded), site level planning needs of the 3535 Casorso Road area to inform and then subsequently complement the higher level, City led requirements of an urban centre planning process occurring nearby. This is very timely, with the recently adopted OCP offering strong policy guidance for this centrally located site, and for the concept that will ultimately be developed.

In closing, we look forward to beginning the Casorso Road Area Redevelopment Plan process together, as is envisioned within the newly adopted OCP. Recognizing that our request at this stage is simply to begin a Planning process, we look forward to working together to engage with the community. We will submit the required paperwork, once Council direction is received, as has been requested. I truly look forward to crafting an inspired plan that not only ensures the provision of much needed affordable, rental, and ownership housing for the community, but creates a sustainable and complete community for the future of Kelowna.

Yours truly,



Leonard Kerkhoff, B.Tech, ASCT
President and CEO

CC: Mayor and Council
Doug Gilchrist, City Manager
Ryan Smith, Divisional Director of Planning and Development Services
Terry Barton, Development Planning Department Manager
Lauren Macauley, Architect/Director, IBI

Attachment A: Legal Descriptions of Applicable Properties

Attachment A: Legal Descriptions of Applicable Properties

3501 Casorso Road - LOT 6 DISTRICT LOT 135 OSOYOOS DIVISION YALE DISTRICT PLAN 3463
3469 Casorso Road - LOT 5 DISTRICT LOT 135 OSOYOOS DIVISION YALE DISTRICT PLAN 3463
3461 Casorso Road - LOT 4 DISTRICT LOT 135 OSOYOOS DIVISION YALE DISTRICT PLAN 3463
3453 Casorso Road - LOT 3 DISTRICT LOT 135 OSOYOOS DIVISION YALE DISTRICT PLAN 3463
3445 Casorso Road - LOT 3 DISTRICT LOT 135 OSOYOOS DIVISION YALE DISTRICT PLAN 3463
3433 Casorso Road - LOT 2 DISTRICT LOT 135 OSOYOOS DIVISION YALE DISTRICT PLAN 10171
843 Lanfranco Road - LOT 3 DISTRICT LOT 135 OSOYOOS DIVISION YALE DISTRICT PLAN 10171
857 Lanfranco Road - LOT 4 DISTRICT LOT 135 OSOYOOS DIVISION YALE DISTRICT PLAN 10171
871 Lanfranco Road - LOT 5 DISTRICT LOT 135 OSOYOOS DIVISION YALE DISTRICT PLAN 10171

Casorso Area Redevelopment Plan
(ARP23-01)

TERMS OF REFERENCE

Policy & Planning Department
Planning & Development Services Division
City of Kelowna
February, 2023

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1 PREAMBLE

1.1 FRAMEWORK FOR AN AREA REDEVELOPMENT PLAN

The Local Government Act (LGA) allows for an official community plan to be adopted by a municipality containing a statement of objectives and policies regarding planning and land use management in the area covered by the plan.

The City of Kelowna has taken a hierarchical, or 'nested' approach to community plans. The following is the hierarchy of community plans identified in Council Policy No. 247: Hierarchy of Plans (Sector Plans/Structure Plans/Redevelopment Plans):

- Official Community Plan
- Sector Plans
- Area Structure Plans
- Area Redevelopment Plans

Area Redevelopment Plans are endorsed by Council and direction is implemented as an amendment to the Official Community Plan (OCP), and other relevant bylaws and policies.

An Area Redevelopment Plan (ARP) may also require consultation with provincial and/or federal bodies on specific points/issues.

1.2 PURPOSE OF AN AREA REDEVELOPMENT PLAN

Pursuant to Council Policy No. 247: Hierarchy of Plans (Sector Plans/Area Structure Plans/Redevelopment Plans), Area Structure Plans and ARPs provide a critical link between Kelowna's OCP and specific land development applications. Where an OCP is too broad to determine appropriate land use designations in areas where detailed investigation is required, and where a single development application is too narrow a focus to address broader issues, Area Structure Plans and ARPs provide the necessary framework. Specifically, these plans allow land owners to work with City Staff, the community and Council to conduct the necessary investigations to examine in detail the potential for development in a given area and to determine how that development would best meet City objectives, including issues such as land use, transportation, servicing, environmental protection, hazardous conditions, form and character, parks and community resources, and heritage.

The difference between Area Structure Plans and ARPs is that the former applies to previously undeveloped lands, while the latter applies to lands that have been previously developed.

According to Council Policy No. 247, ARPs are meant to be invoked when the Plan Area in question:

- (a) conforms to the purpose and intent of the Official Community Plan; and
- (b) is of sufficient magnitude in terms of population, units of development, servicing constraints, social impact or economic burden on the municipality; or
- (c) in Council's view, may affect adjacent properties, land uses, the natural environment or hazardous conditions; or
- (d) in Council's view, may affect municipal heritage sites, or a revitalization area; and
- (e) such other matters as may be required, unique to the plan area under consideration.

At its regular meeting of February 27, 2023, Council passed the following resolution with respect to the request for authorization to proceed to develop an ARP for the properties as specifically noted below:

THAT Council authorize the preparation of an Area Redevelopment Plan as outlined in the report from the Policy & Planning Department, dated February 27, 2023, for the following properties which have submitted an Area Redevelopment Plan application to the City of Kelowna:

3535 Casorso Road	004-911-873	Lot A, Plan 37230, District Lot 134, ODYD
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AND THAT the Area Redevelopment Plan be required to provide analysis, future land use concepts and all necessary details surrounding coordinated redevelopment potential to inform an Official Community Plan amendment as per this Terms of Reference and Council Policy No .247 on the following additional properties which are part of the Casorso Road Neighbourhood Plan Area identified by Official Community Plan Bylaw No. 12300 but have not submitted an Area Redevelopment Plan application to the City of Kelowna:

3501 Casorso Road	010-836-764	Lot 6, Plan 3463, District Lot 135, ODYD
3469 Casorso Road	003-690-199	Lot 5, Plan 3463, District Lot 135, ODYD
3461 Casorso Road	010-836-730	Lot 4, Plan 3463, District Lot 135, ODYD
3453 Casorso Road	009-320-644	Lot 3, Plan 3463, District Lot 135, ODYD
3445 Casorso Road	009-613-277	Lot 2, Plan 10171, District Lot 135, ODYD
3433 Casorso Road	009-613-242	Lot 1, Plan 10171, District Lot 135, ODYD
843 Lanfranco Road	009-613-307	Lot 3, Plan 10171, District Lot 135, ODYD
857 Lanfranco Road	009-613-331	Lot 4, Plan 10171, District Lot 135, ODYD
871 Lanfranco Road	009-093-079	Lot 5, Plan 10171, District Lot 135, ODYD

These two sets of properties, identified collectively as the 'Casorso Road Properties' forming the Area Redevelopment Plan (the "Plan Area") are shown on Figure 1 below:

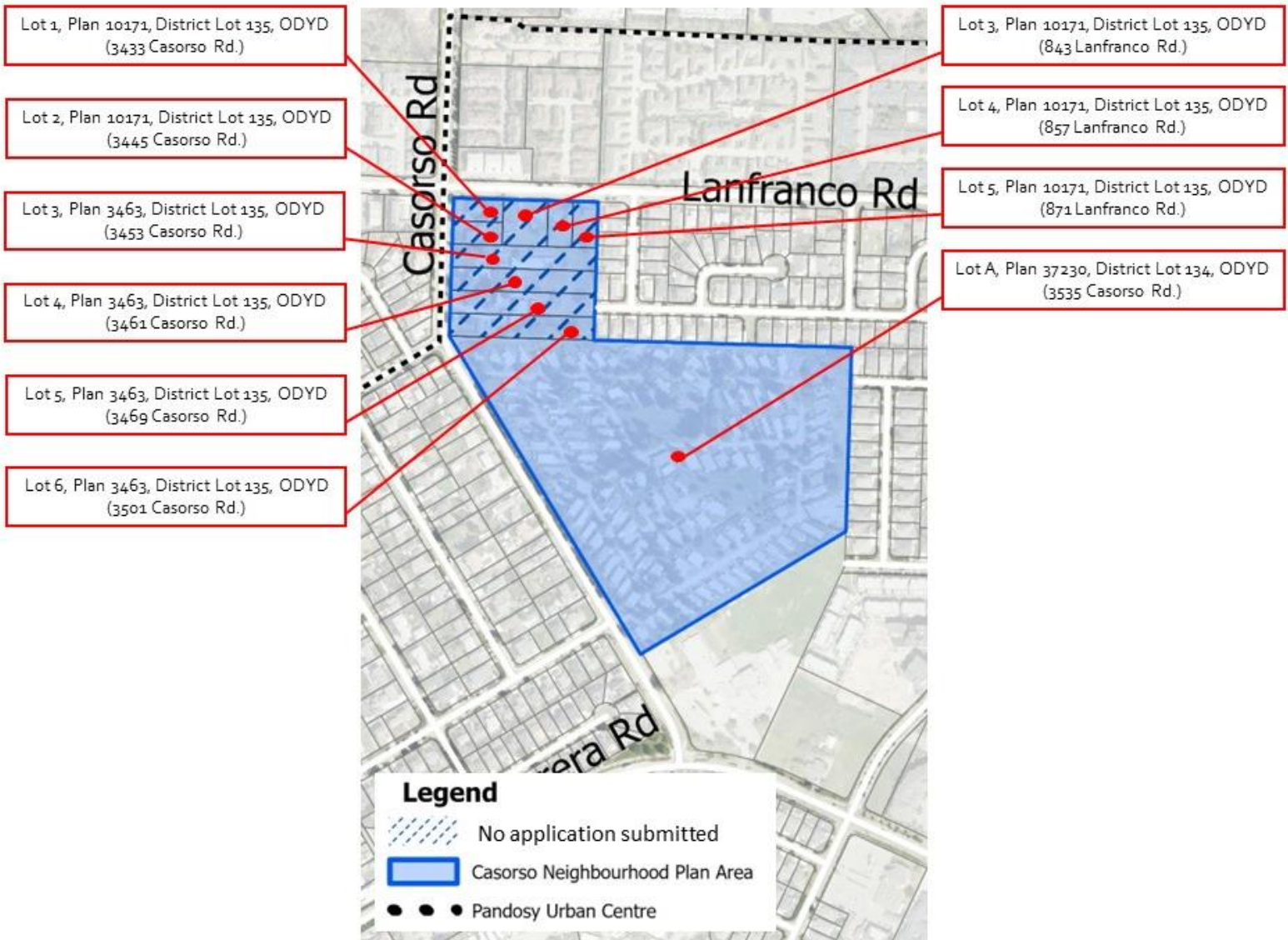


Figure 1: Casorso Road Properties, including legal descriptions

1.3 RESPONSIBILITY

An ARP shall be prepared or submitted by the owner (or owners) of the majority of land within the plan area, or by consultants acting on their behalf.

1.4 RELATIONSHIP TO OFFICIAL COMMUNITY PLAN AND PANDOSY URBAN CENTRE PLANNING INITIATIVES

The City of Kelowna Official Community Plan (OCP) 2040 (Bylaw No. 12300) contains policies regarding redevelopment of the Casorso Road properties. Specifically, this includes Policy 5.3.4 which states the following:

"Consider redevelopment of the Casorso Road properties, as outlined on Map 16.1 [Special Planning Study Areas – Casorso Road Neighbourhood Plan] only at such time as an Area Redevelopment Plan is completed, in keeping with Policy 5.3.3 [Strategic Density]. This plan should be initiated by the property owners, and include at minimum, a community park of approximately 2.0 hectares in size fronting Casorso Road and linear park and pedestrian connections from Wintergreen Drive and Invermere Road to Casorso Elementary School."

The location of the Casorso Road Properties is identified in Map 16.1 of the 2040 and is consistent with Figure 1 above.

Additionally, as of February 2023 City of Kelowna staff are scoping a planning process for the Pandosy Urban Centre and broader surrounding Core Area neighbourhoods, with particular attention to the Pandosy and Richter Corridors, to be undertaken beginning in 2023. These are identified implementation items contained in Table 16.1 [Implementation Actions] of the 2040 Official Community Plan.

Should these planning processes commence, at Council's discretion, they will proceed concurrently with the ARP process. The ARP process will be presented to Council for separate endorsement. As these separate planning processes within the broader Pandosy area proceed, however, they may influence the recommendations to Council on the future development entitlements of the Casorso Site ARP.

In the absence of a Pandosy Plan process, or endorsement of that process by Council, recommendations to Council on the Casorso Site will be informed by the policies and objectives of the 2040 Official Community Plan, as well as specific Pandosy Urban Centre metrics as they relate to those policies. This is to ensure that development of the Casorso ARP site will continue to ensure that the Pandosy Urban Centre remains as "the highest concentration of employment, shopping, entertainment and housing" (City of Kelowna Official Community Plan, p.10). These metrics will include but are not limited to:

- Population and unit projections;
- Employment projections, in consideration of a target people to jobs ratio of 2:1 per the Urban Centres Roadmap;
- Commercial development feasibility and likelihood;
- Urban Centre existing zoning build-out capacity; and
- Transportation Network Carrying Capacity.

In turn, the planning processes for the broader Pandosy area would be informed by the opportunities granted by the Casorso Site and these will be taken into account during the broader transportation and land use planning processes for the Pandosy Urban Centre and the Pandosy/Richter corridors.

It therefore must be acknowledged that, while planning for the broader Pandosy Area and the Casorso ARP are independent projects, the directions endorsed by Council at key stages of the Pandosy Urban Centre Planning processes will likely guide and impact the development of the Casorso Site ARP. Further details on the coordination between these multiple processes, and the information and research resources they will share, as well as key process milestones, can be found in Part B of this document. The general timing and process for executing an ARP outlined in Council Policy No. 247 would be modified due to the need to coordinate the ARP with the broader Pandosy planning processes, should Council direct staff to undertake them.

1.5 AREA REDEVELOPMENT PLAN CONTENTS & TERMS OF REFERENCE

Council Policy No. 247 gives general guidance on what an ARP is to include, as follows:

- (a) an inventory of existing land uses, natural features, zoning, transportation networks, utility infrastructure and heritage sites;
- (b) a statement of development objectives and policies for the area, and their relationship to Council policy as stated in the Official Community Plan, and within other bylaws and policies that may be adopted by Council from time to time;
- (c) where applicable, information on the natural environment or hazardous conditions of the area including the manner in which natural site characteristics will influence development;
- (d) the identification of major land uses by type and density;
- (e) the general location of transportation networks and required upgrades to accommodate vehicles, public transit, pedestrians and cyclists within the plan area, and the relationship of the proposed network to existing City facilities. Advance transportation plans should identify all vehicle, transit, pedestrian, cycle and trail linkages and provide a mix of trail, local, collector and arterial roads necessary to create a balanced transportation system;
- (f) the location and type of any development permit areas to be designated within the plan area, together with guidelines for proposed development within those development permit areas.

Beyond this, Council Policy No. 247 requires that a Terms of Reference (TOR) be created for each specific ARP in order to cater the requirements of the ARP to the specific site in question. This document is meant to provide the Terms of Reference for the Casorso Site ARP.

1.6 INTERPRETATION

The precise scope of the conditions and requirements in the Terms of Reference are subject to review and refinement by City Staff.

2 INTRODUCTION

This Terms of Reference document is split into two parts: Part A: Content; and Part B: Process. Part A: Content describes the items to be included in the ARP. Words in italics would be replaced by the applicant as the information is made available. Part B: Process describes the process that must be followed in generating the required content.

3 PART A: CONTENT

3.1 ADMINISTRATION (SUBMISSION I)

The section on Administration will provide a concise statement or brief description of the plan's purpose, authority, timeframe, and interpretation. For the purpose of Section 3.2, 'Plan Area' is to include the lands which are the subject of the ARP, 'immediate surroundings' are to include areas to within approximately 500 metres of the Plan Area as appropriate, and 'broader surroundings' are to be context driven, as appropriate.

3.2 PLAN CONTEXT (SUBMISSION I)

The section on Plan Context will include the following sub-sections, with the required content described:

3.2.1 Location/Site Context:

A description of the Plan Area's location in the city, and a general description of immediate and broader surroundings (both natural and built environment).

Include a context map in support of the description.

3.2.2 History of Plan Area and Surroundings:

*A description of the history and development of the Plan Area and immediate surroundings
Include photos, orthophotos and/or maps as appropriate.*

*An account of the natural environment and site conditions prior to development.
Include photos, orthophotos and/or maps as appropriate.*

3.2.3 Site Analysis (Current Conditions):

3.2.3.1 Land Ownership

A table to include registered owners, municipal addresses and legal addresses of properties included in the Plan Area.

A map identifying the legal address of proponent, private and public lands within the Plan Area and adjacent roads and properties.

Waterbody Identification and Ownership Determination. Applicants are responsible for identifying any water features and their ownership within the Plan Area including wetlands, water bodies, and filled-in water bodies as these may be subject to both ownership and regulatory interest by the Province or Municipality. This requirement will provide important information on existing natural resources, regulations affecting future development, early identification of Crown and Municipal interest in lands for preservation and or conservation purposes, and greater certainty for land development investors.

3.2.3.2 Topography:

A description of the topography of the site and immediate surroundings (as appropriate), including visually significant features.

3.2.3.3 Land Use:

*A description of existing land uses and the built form in the Plan Area and immediate surroundings
Include a land use map to support the written description.*

3.2.3.4 Environmental & Hazard Conditions:

A Report from a Qualified Environmental Specialist to include all items in Appendix I (Environmental Assessment), except sections 3 and 4.

3.2.3.5 Hydrological Conditions:

A Report from a Qualified Engineering Professional to include all items in Appendix II (Hydrogeological Impact Assessment Reports).

3.2.3.6 Geotechnical Conditions:

A Report from a Qualified Engineering Professional to include all items in Appendix III (Geotechnical Assessment Reports), except sections 2.2-2.6 of Appendix III, which are to be included with the Draft Plan. Including, but not limited to: soil composition, profile, classification, geologic process, terrain stability, and suitability for development (including expected measures needed to prepare ground for a range of development intensities).

3.2.3.7 Existing Parks & Public Space:

An inventory and description of the parks, public spaces and natural areas in the Plan Area and immediate surroundings, as appropriate.

Include classification of parks as set out in the OCP (as amended or replaced from time to time), and distinguish between active parks and amenities and passive natural areas.

Include locations of land identified for park development in the Official Community Plan and Parks Master Plan.

Include a map in support of the written description.

3.2.3.8 Existing Recreational and Cultural Facilities:

An inventory and description of the cultural and recreational facilities in the Plan Area and immediate surroundings, as appropriate.

Include locations of land identified for recreational and cultural facilities in the Official Community Plan, Transportation Master Plan, and Parks Master Plan, Cultural Plan, Cultural Facilities Master Plan (2021), Sports Facilities Master Plan (2021), Housing Needs Assessment (2017), Healthy Housing Strategy (2018), and Care for our Kids (Community Child Care Planning Central Okanagan).

Include a map in support of the written description.

3.2.3.9 Existing Historical and Archeological Assets:

An archaeological overview assessment (AOA) report from a Certified Professional who is a member of the Archaeological Society of British Columbia. Include an inventory and description of the existing historical and archeological assets in the Plan Area include a map and photos as appropriate. If the AOA report shows that archaeological sites may be present, a Archaeological Impact Assessment (AIA) Report will be required.

3.2.3.10 Existing Transportation Infrastructure:

A description of existing transportation infrastructure in the Plan Area and immediate surroundings. Describe the vehicle/road network (classification, urbanization, street tree canopy, street lighting,

laning), intersection/crosswalk traffic control, on and off-street parking supply, truck routes, the transit system (routes and infrastructure) and the active transportation network (pedestrian, bicycling and shared facilities).

A description of the connections to adjacent destinations including but not limited to the surrounding neighbourhood (Pandosy), north to Downtown, and to the south. Connections to the east can be limited to Casorso and KLO roads.

A description of existing travel patterns/behaviors to and from the site and adjacent neighbourhood. Place these in context within Kelowna.

Include maps in support of the above descriptions.

3.2.3.11 Existing Utility Infrastructure:

A description of the water, sewer and storm drainage infrastructure in the Plan Area and immediate surroundings, including material, age, and overall current estimated condition. The analysis must account for contributory and downstream systems.

Include a separate map for each type of infrastructure in support of each description.

Assess the existing system demands vs existing system capacities in accordance with the City Subdivision, Development, and Servicing Bylaw # 7900, Schedule 4.

Include a separate map for each type of infrastructure to illustrate existing assessment results. A description of the private utilities infrastructure serving the Plan Area.

3.2.3.12 Site Analysis Summary Map:

A map(s) pursuant to Section 3.2.2 summarizing existing conditions of the Plan Area and immediate surroundings (as appropriate) framed in terms of opportunities and constraints for redevelopment. Individual topics (ie topography, ownership, utilities) should be combined where appropriate however maps should remain uncluttered.

3.2.4 Policy Analysis:

Identification and analysis of current and in-stream Federal, Provincial, and Regional and Municipal policies and regulations that specifically pertain to the redevelopment potential of the Plan Area and immediate surroundings (as appropriate).

At a minimum, the following City of Kelowna plans and reports must be reviewed (all plans and reports will be provided to the applicant in a separate submission): Imagine Kelowna (2018), Official Community Plan 2040 (2022), Transportation Master Plan (2022), Parks Master Plan (underway), Parkland Acquisition Guidelines (2011), Parks Linear Plan (2009), Cultural Plan, Cultural Facilities Master Plan (2021), Sports Facilities Master Plan (2021), Housing Needs Assessment (2017), Healthy Housing Strategy (2018), and Care for our Kids (Community Child Care Planning Central Okanagan).

3.2.5 Planned Capital Improvements:

Identification of all City of Kelowna capital projects funded or planned within the Plan Area and immediate surroundings (as appropriate) that are identified in the following documents: 2030 Infrastructure Plan, Transportation Master Plan, DCC Program, 10-Year Capital Plan and current annual Financial Plan (specified plans to be considered as amended or replaced from time to time).

Include a map of any planned or proposed improvements (also illustrating projected timelines).

3.2.6 Planning Best Practices:

Identification and description of planning best practices regarding the redevelopment of brownfield sites—and especially brownfield sites of a similar nature—which would inform and influence the ARP. Include Case Studies as appropriate, minimum of 2.

Case Studies are to include an account of the planning methodology and principles employed, identify challenges and successes, and a description of any opportunities for similar approaches with the Casorso ARP.

3.2.7 Communication and Engagement Plan:

A plan which describes the format, strategies, methods, and audiences of consultation to be undertaken, for each of the 3 required phase of consultation (per Sections 3.3, 3.7 and 3.9 of this document).

All public engagement must be consistent with Council Policy No. 372 "Engage Policy" as it may be amended.

All in person public consultation sessions are to be open to the public, as well as advertised and conducted in accordance with Council Policy No. 367, "Public Notification & Consultation for Development Applications", S. 4.c as it may be amended.

All phases of public engagement are to include a minimum of two types of engagement; at least one in-person event (ie workshop, information meeting) and another type of engagement is at the applicant's discretion (ie an online survey or other written/verbal feedback tools).

Charettes, while an important part of engagement, design and planning process, will not count towards minimum engagement session unless they are open to the public per this Section.

Consideration for demographic audiences should be taken into account, such as age groups, availability and willingness to attend/participate, appropriateness of methods for target audience. (Area specific demographic information can be provided by City Staff).

In keeping with OCP Policy 9.3.3, consider how to reach voices that are seldom heard and equity-seeking groups.

*The Communication and Engagement Plan must include at minimum the following:
Identification of the level of engagement to be taken in accordance with IAP2 Standards
A description of the approach to engagement.*

Identification of target stakeholders and stakeholder groups to be consulted.

Identification of the specific activities/methods/strategies/tactics that are to be taken at each individual phase of consultation.

Indigenous Consultation must be incorporated:

The City of Kelowna's relationship building process with local Indigenous peoples - including efforts both within and outside of the Pandosy Urban Centre Planning processes – is ongoing. The applicant will also be required to work with sylix (Okanagan) peoples and urban Indigenous organizations as appropriate during the preparation of the ARP. The specific phase at which indigenous consultation occurs is at the discretion of the applicant. Early consultation is recommended.

The applicant is encouraged to review Chapter 9 of the 2040 OCP, and in particular take into consideration of Objective 9.2 and its related policies.

Identification of individual Indigenous stakeholders is to be included.

Identification of the specific activities for indigenous engagement must be included. It is suggested that individual stakeholder groups be approached in person (ie presentation to WFN Council and request for feedback).

The specific venue, format and content to be presented/displayed at each engagement session does not need to be identified in the Communications and Engagement Plan (whether in person or otherwise) but is to be provided before each engagement event and formally approved by City Staff prior to all engagement sessions and activities.

3.2.8 Market Feasibility Study:

An account of the market feasibility of different varieties and tenures of residential, and commercial land uses (also including mixed-use), including proposed affordable housing components. The feasibility study should account for expected growth outside of the Plan Area, within the Pandosy Urban Centre, taking into account the Pandosy Urban Centre Technical Background report discussed in Section 3.5.1.

Provision of housing typologies and market feasibility over time is to be aligned with expected project phasing and construction build-out that is to be later identified in Section 3.8 (Draft Plan).

Include anticipated absorption rates of viable residential and commercial land uses aligned with expected phasing and construction timelines.

3.3 FIRST CONSULTATION SUMMARY (SUBMISSION II)

3.3.1 Public Consultation Summary:

The specific venue, format and content to be presented/displayed for engagement (whether in person or otherwise) is to be provided before each engagement event and formally approved by City Staff prior to all engagement sessions and activities.

Undertake public engagement, utilizing the Plan Context (Section 3.2) information, to inform the Visions and Objectives (Section 3.5). Prepare a summary of the public consultation process and results regarding the Plan Context (see Part B: Process, Section 4.1.2 for further detail) including at minimum:

Full details on the venue, content presented/displayed, number of persons who attended in person, number of persons who participated in other formats

A summary of all public feedback received. Feedback is to be grouped into themes, as appropriate, with explanations/interpretations included as necessary

The summary must also include details on engagement events undertaken in 2022 prior to the commencement of the ARP application process

Include a copy of all written feedback appended to submission.

3.3.2 Indigenous consultation summary

The summary must include a separate account of all indigenous consultation undertaken up to the time of submission and itemized separately as per 3.3.1.

3.4 TENANT RELOCATION (SUBMISSION III)

3.4.1 Preliminary Tenant Relocation Plan

At the time of application, the Plan Area contains the Central Mobile Park, containing over 100 occupied mobile (and modular) homes. Acknowledging that preliminary concepts submitted to the City show a complete redevelopment of the Mobile Park, the applicant will be required to present a plan that identifies how existing tenants of the Central Mobile Park, and/or owners of mobile homes within the Central Mobile Park, will be accommodated into new housing during and after redevelopment. The Tenant Relocation Plan must include, at minimum, the following:

3.4.1.1 Current Policy Summary

The applicant must list and provide a summary description of all relevant sections of municipal bylaws, policies, and provincial regulation/legislation that will impact the process of tenant relocation. This includes, but is not limited to, the City of Kelowna Council Policy 229 Mobile Home Park Redevelopment, City of Kelowna 2040 Official Community Plan Bylaw No. 12300, The Manufactured Home Park Tenancy Act, and the Rental Tenancy Act.

3.4.1.2 Current Occupancy Summary

The applicant will be required to document to the City, in tabular format, the following information for each mobile home on the site:

- *Details on age, size, number of bedrooms, type, condition, structural modifications, any available CSA certification, and the ability of the unit to be moved and re-certified. These details must be prepared by a qualified professional(s);*
- *Occupancy status (owned/rented/vacant) and length of current tenancy at the Central Mobile Park; and*
- *Most recent BC Assessment value.*

3.4.1.3 Communications Plan

A communications plan must be prepared by the applicant. The communication plan must detail and describe how residents will be notified of the ongoing ARP process, any plans for ending the tenancy, and how residents will be involved in this process.

3.4.1.4 Relocation Plan

Relocation can be an extremely stressful and disruptive process, exacerbated by variable life conditions. The applicant must provide a strategy for how they will assist existing occupants of the Plan Area in finding interim and permanent housing that is within their means. The Relocation Assistance Plan must detail:

- Identification of a Tenant Relocation coordinator, hired by the applicant, who will be a point of contact to existing tenants, provide direct assistance throughout the relocation process to aid in finding new housing and provide other necessary supports, and be an information resource throughout the process;*
- A written strategy for assisting tenants in the process of relocating to permanent housing within the city of Kelowna or other destination of their choice. It is expected that, when assisting tenants in finding appropriate housing, factors pertaining to individual tenants such as ability to pay, household size and presence of pets are taken into consideration by the owner/developer or their agent in order to help find the most appropriate housing available;*
- A written strategy for providing the opportunity of right of first refusal to existing tenants/occupants within the Plan Area once the redevelopment is complete.*

3.5 VISION AND OBJECTIVES (SUBMISSION IV)

3.5.1 The Vision & Objectives for the Plan Area will include:

A statement of the Vision & Objectives for the Plan Area, which is to be informed by the Plan Context and the first round of public consultation (see Part A: Content, s. 3.2 and Part B: Process, Section 4.1.4.)

The Vision & Objectives must articulate a comprehensive account of the long-term future development of the plan area over a given amount of time. The objectives must express and define the key directions and strategies needed for the ARP to achieve the stated vision. Objectives should address all aspects of the development, including but not limited to land use, housing, transportation, parks and public spaces, recreational and cultural facilities, heritage conservation, utilities, and urban design

The Vision & Objectives must describe and be rooted within a particular planning framework and/or methodology and/or set of principles. The framework/methodology/set of principles itself must relate and refer to the policy review and outcomes of the case study review. The chosen approach for the ARP must demonstrate consideration of the interrelated implications of development that are necessary to achieve the Imagine Kelowna Vision and align with the OCP's pillars, growth strategy, objectives and policies (as amended or replaced from time to time)

The vision and Objectives must incorporate and take account of two key pieces of work being led by the City. These are:

A "Pandosy Urban Centre Technical Background" report, which will be a City-led technical report, will be completed by City Staff. This report will looking at anticipated growth within the adjacent Pandosy Urban Centre, through individual analyses of:

- Population and unit projections;*

- *Employment projections, in consideration of a target people: jobs ratio of 2:1 per the Urban Centres Roadmap;*
- *Commercial development feasibility and likelihood; and*
- *Urban Centre existing zoning capacity*
- *Transportation Capacity*
- *Parks Master Plan*

A transportation "Carrying Capacity" Report, which will be a City-led technical report that will be completed by City staff. It will estimate the scale of development that can be accommodated in the Pandosy Urban Centre and broader surrounding Core Area neighbourhoods through an analysis of:

- *Existing travel patterns, behaviour, and vehicle traffic counts*
- *Planned infrastructure projects for all modes*
- *Increases in travel demand due to growth in external areas (e.g. Southwest Mission, Cook Truswell Village Centre)*
- *Opportunities to shift behaviour (e.g. lower trip generation, decreased driving mode split) for both new and existing residents and workers*

The "Carrying Capacity" will also inform the scope of the analysis of the Transportation Report described in Section 3.8.1.5

3.6 CONCEPT PROPOSALS (SUBMISSION V)

3.6.1 Concept Plan(s):

One or more Concept Plan(s) is to be generated including types, mix, general location and density of land uses; general location of roads and transportation network (including pedestrian, bicycling and transit connections); general location of conservation areas and parks and public space; and general location and description of additional public facilities to be included

Pending outcome of the Environmental Assessment Report, any identified Riparian Management Area must be shown on all plans (Reference Chapter 21 of the OCP) as required. Any required Riparian Management Area is to be dedicated to the City of Kelowna via rezoning/subdivision process.

Dedication of Linear Parks must be shown on all plans (Reference Chapter 5, Objective 5.14 of the OCP). The ARP is to indicate the provision for public access through the site including but not limited to dedicated linear parks. While dedication does not occur until the subdivision and rezoning stage, the ARP is to indicate the location and minimum width of the linear park dedication. The City's standard requirement of 10m width - which may be in addition to, and outside of, any riparian management area requirements - will be used as a baseline. Alternative approaches that may include a variance from the 10m baseline expectation will be explored and considered provided the approach is consistent with broad objectives of the applicable City policy.

An explanation of how the Concept Plan(s) meet the Vision & Objectives of the Plan Area

3.7 SECOND CONSULTATION (SUBMISSION VI)

3.7.1 Public Consultation Summary:

The specific venue, format and content to be presented/displayed for engagement (whether in person or otherwise) is to be provided before each engagement event and formally approved by City Staff prior to all engagement sessions and activities.

Undertake public engagement to present the Concept Proposals(s) (Section 3.6) Prepare a summary of the public consultation process and results regarding the Concept proposals (see Part B: Process, Section 4.1.7 for further detail) including at minimum:

Full details on the venue, content presented/displayed, number of persons who attended in person, number of persons who participated in other formats

A summary of all public feedback received. Feedback is to be grouped into themes, as appropriate, with explanations/interpretations included as necessary

Include a copy of all written feedback appended to submission.

3.7.2 Indigenous consultation summary

The summary must include a separate account of any indigenous consultation undertaken up to the time of submission and itemized separately as per 3.3.1.

3.8 DRAFT PLAN (SUBMISSION VII)

3.8.1 Draft Plan Proposal

The Draft Plan proposal will, through the process identified in the following sections and in Part B will evolve to be the final ARP. The Draft Plan Proposal is expected to build on items identified within Plan Context (S. 3.2) as well as public engagement to this point, to identify how the proposal will advance and align with the wide range of City plans and initiatives.

3.8.1.1 Land Use & Housing Plan:

A description of the Land Use Plan in terms of the types, mix and densities of land uses proposed (including natural areas, residential, parks, commercial, institutional, school sites, and public utility land uses). It is understood that one or more land uses listed may not be included in the Draft Plan. All requirements listed below pertaining to land uses not included are to be omitted.

Include a map showing the location and density of proposed land uses.

Include a table with estimated gross area (m²) of each variety of land use proposed.

Include a summary of the proposed restoration of any Riparian Management Area (RMA) as required. (Note that the RMA is not considered 'active park' and is not to be included in the calculation of active park space per population)

Include a summary of the environmentally sensitive areas protect, conserved and lost (as applicable).

Where residential development is proposed, a description of the Plan’s approach to housing—including housing forms, target/anticipated market(s), tenure and levels of affordability.

Include a map showing the location of housing by form, tenure and affordability by sub-area

Include a table with estimated unit numbers by form, tenure and affordability.

The applicant shall incorporate any available preliminary results of a Housing Needs Assessment being undertaken by City Staff beginning in February 2023. These preliminary results will be provided where possible

An estimate of the total population and number of jobs within the Plan Area at full build out

A detailed explanation of how the proposed Land Use & Housing Plan meets the Vision & Objectives for the Plan Area (as applicable)

An Implementation and Construction Phasing Plan for the proposed Land Use & Housing Plan

Include any proposed new policy directions (where necessary) and how the Land Use & Housing Plan is meant to integrate with existing City Plans and Bylaws

Include a draft subdivision block plan, if applicable, showing lot areas, lot dimensions, road dedication, park dedication, and parcel frontages.

Include any legal instruments needed to implement the Plan, including locations of any necessary easements and/or rights-of-way. Where the location of such easements and rights have been identified or there are suitable commitments to provide them, there will be some degree of flexibility in the Plan to allow for further plan development in future years

Should the Implementation and Construction Phasing Plan differ in timelines from those identified in the Market Feasibility Study (3.2.8), provide an updated Market Feasibility Study as appropriate.

3.8.1.2 Parks & Public Space Plan:

A description of the variety, size, layout and orientation of the natural areas, neighbourhood parks, community parks, city-wide parks, linear paths, parks on streets, trees of significance, and the public realm. (The Parks and Public Space Plan must meet the City’s Park Acquisition Guidelines, and the OCP standards for active park space per population)

A map showing the location and variety of proposed natural areas, neighbourhood parks, community parks, linear paths, parks on streets, and recreation areas.

A map and demonstration of how various existing, future, and proposed park locations will connect together and within the existing active transportation network.

An estimate of the area of parks and public space provided per capita within the Plan Area (broken down by park type)

An estimate of the percentage of population expected to be within walking distance (500m) of park space, broken down by park type

A rationale for the Parks & Public Space Plan based on the Vision & Objectives for the Plan Area as well as the proposed Land Use & Housing Plan

An Implementation Plan for the proposed Parks & Public Space Plan, including an estimate of the annual cost of maintaining and replacing the parks and public space lands and associated facilities (with input on costs by City Staff)

Include new policy directions (where necessary) and how the Parks & Public Space Plan is meant to integrate with existing City Plans and Bylaws, particularly the Parks Master Plan.

Include any legal instruments needed to implement the Plan

3.8.1.3 Recreational & Cultural Facilities Plan:

A description of the variety, function, size, and location of the proposed recreational and cultural facilities, including which facilities would be open to the public and which would be for residents only

A map showing the variety, function and location of the proposed recreational and cultural facilities and how they link with existing and proposed City facilities.

An estimate of the annual cost of maintaining, operating and replacing the recreational and cultural facilities (with input on costs by City Staff)

A rationale for the Recreational & Cultural Facilities Plan based on the Vision & Objectives for the Plan Area as well as the proposed Land Use & Housing Plan

An Implementation Plan for the proposed Recreational & Cultural Facilities Plan, demonstrated how it advances and aligns with existing City policies, plans, and initiatives. Include new policy directions (where necessary) and how the Recreational & Cultural Facilities Plan is meant to integrate with relevant existing City Plans, policies, and Bylaws identified and reviewed per S. 3.2

Include any legal instruments needed to implement the Plan

3.8.1.4 Heritage Conservation Plan:

A description of the recommended approach to heritage conservation on the site, including built heritage, natural heritage, heritage landscapes, or other heritage features as identified by Section 3.2.2.9.

A description of the recommended approach to archaeological sites (if any as identified by Section 3.2.2.9).

An inventory of the heritage and archaeological assets to be preserved and a description of the recommended conservation approach to each asset

Include maps and photos where appropriate

An Implementation Plan for the Proposed Heritage Conservation Plan

Include a description of the planning tools and legal instruments needed

3.8.1.5 Transportation Plan:

The Transportation Plan will describe the future transportation system proposed with development of the Site and will consider a Plan Area that includes the site, immediate surroundings, and connections to the broader transportation network in the surrounding neighbourhood.

Describe how the proposed development aligns with the goals, objectives and policies of the Official Community Plan (specifically the Pandosy Urban Centre) and any work completed and endorsed by Council on a Pandosy Urban Centre Plan, the Transportation Master Plan, and 20 Year Servicing Plan.

Describe anticipated, patterns, origins and destinations, behavior, impacts and assumptions for future trips to and from the site. Enumerate the number of trips by mode. Where changes in behavior are assumed, provide rationale for changes.

Describe changes in travel demand and impacts of those changes on the surrounding network.

Identification of proposed improvements to the transportation network – on and off site.

Describe the proposed future transportation system, including;

- *the proposed vehicle network*
- *the proposed pedestrian network (on and off street)*
- *the proposed bicycling network (on and off street)*
- *the proposed transit system (network, facilities and services) – coordinated with Transit.*
- *proposed access for commercial (trucks) and emergency vehicles.*
- *proposed approach to multi modal parking, on and off street.*
- *proposed Transportation Demand Management (TDM) measures*
- *accommodation of emerging transportation trends (ride hailing, just in time goods and services delivery, electric vehicles, electric bikes/scooters, shared fleets)*
- *proposed interface between the street and adjacent buildings and land use.*
- *proposed public space components within or adjacent to the transportation network.*
- *proposed transportation (street) network, layout, cross sections, elements and junctions – to understand accommodation of combined activity by all street users.*

Describe how the proposed transportation system;

- *facilitates travel and access within the site.*
- *connects the site to the adjacent transportation network.*
- *Connects future residents and businesses to destinations throughout the rest of the City.*

- *Performs, and addresses the impacts of the proposed development on the transportation network.
Include maps, photos, drawings and graphics to describe the above where appropriate.*

An estimate of the annual cost of maintaining and replacing proposed transportation infrastructure (with input on costs provided by City Staff)

An Implementation Plan for the proposed Transportation Plan

Describe phasing, funding sources, timing and triggers for on-site and off-site improvements.

Describe sufficient intermediate phases to ensure acceptable performance at both project completion and interim stages.

A description of how Transportation Demand Management (TDM) measures proposed are delivered.

Identify new policy directions (where necessary) required to enact the Transportation Plan, describe how they integrate with existing City Plans and Bylaws.

Include any legal instruments needed to implement the Plan

To inform development of the Transportation Plan, a Transportation Assessment for the site shall be completed.

The transportation assessment is a technical analysis of future conditions providing information to inform the Transportation Plan.

The Transportation Assessment will consider impacts on the transportation network within the site, adjacent neighbourhood and broader connecting transportation network. It will be multimodal and may consider impacts over multiple horizons, as applicable.

The Transportation Assessment will align and take guidance from the Transportation Carrying Capacity Technical Report and the Background Technical Report for the Pandosy Urban Centre and related processes and the Transportation Master Plan, as applicable.

The Transportation Assessment shall identify the likely impacts of the proposed development on the transportation system and identify mitigation measures to accommodate the additional trips in a satisfactory manner.

The Transportation Assessment's projections of future conditions and proposed mitigation measures will inform, along with other policy, objectives and context, the site's Transportation Plan.

The attached terms of reference (Appendix IV) provide guidance for components typically included in a Transportation Assessment. However, considering the scale and context of the Casorso Area Redevelopment site, a more comprehensive assessment will be required. This separate Terms of Reference will be provided by Staff subsequent to the completion of Submission IV and Council Consideration (See Part B, Section 4.1.5 – 4.1.6).

3.8.2 Utilities Plan:

3.8.2.1 Water System

A description and rationale for the proposed water supply to service the Plan Area

A map of the proposed water system for the Plan Area

A description and rationale for proposed upgrades to existing water infrastructure needed downstream necessary to accommodate redevelopment of the Plan Area

A map of proposed upgrades to existing water infrastructure needed to accommodate redevelopment of the Plan Area

Provide an assessment and map of the proposed system demand vs proposed system capacity in accordance with the City Subdivision, Development, and Servicing Bylaw # 7900, Schedule 4

Provide a Class D cost estimate for the proposed upgrades to both on-site and off-site works that will become City assets.

Provide an estimate of the annual cost to maintain the new water system infrastructure (with input on costs provided by City Staff)

3.8.2.2 Sanitary Sewer System

A description and rationale for the proposed sanitary sewer system to service for the Plan Area

A map of the proposed sanitary sewer system for the Plan Area

A description and rationale for proposed upgrades to existing off-site sanitary sewer infrastructure downstream necessary to accommodate redevelopment of the Plan Area

A map of proposed upgrades to existing sanitary sewer infrastructure needed to accommodate redevelopment of the Plan Area

Provide an assessment and map of proposed system demand vs proposed system capacity in accordance with the City Subdivision, Development, and Servicing Bylaw #7900, Schedule 4

Provide a Class D cost estimate for the proposed upgrades to both on-site and off-site works.

Provide an estimated annual cost to maintain the new sewer system infrastructure (with input on costs provided by City Staff).

3.8.2.3 Stormwater Plan

A rationale that identifies the natural systems, major storm systems and minor storm drainage needs for the Planned Area.

The planned infrastructure should account for quantity and quality treatment of surface run-off in accordance with the City Subdivision, Development, and Servicing Bylaw # 7900, Schedule 4 with consideration for mitigating impact to downstream systems.

A map of the proposed storm drainage system, including the contributory and impacted downstream systems.

Include an account of how natural drainage patterns can be protected or enhanced by employing any proposed low-impact strategies.

Identify downstream impacts to storm drainage infrastructure capacity by the proposed development.

Provide a Class D cost estimate for the proposed upgrades to both on-site and off-site works.

Provide an estimated annual cost to maintain the new storm drainage infrastructure (with input on costs provided by City Staff).

Third Party Utilities Plan

A description of the 3rd party utilities networks (telecommunications, electricity etc.) required to serve the Plan Area

Include map(s) as necessary

Utilities Plan Rationale

An explanation of how the proposed Utilities Plan meets the Vision & Objectives for the Plan Area (issues of sustainability; adaptation to climate change; and energy and resource efficiency are particularly pertinent here)

Implementation Plan for the Proposed Utilities Plan

Include new policy directions (where necessary) and how the Utilities Plan is meant to integrate with existing surrounding infrastructure, as well as other City Plans and Bylaws

Include any legal instruments needed to implement the Plan, including locations of any necessary easements and/or rights-of-way. Where the location of such easements and rights have been identified or there are suitable commitments to provide them, there will be some degree of flexibility in the Plan to allow for further plan development in future years.

3.8.2.4 Built Form Analysis:

A description of proposed building types, built form character, architectural and urban design scheme and elements across the site. This should take into account the neighbourhood scale, street scale, site scale and building scale of the site, respecting transitions between land uses and building types both on and off site.

A list of design considerations necessary to regulate massing, height and urban form, which would be necessary above and beyond the Design Guidelines in the OCP (as amended or replaced from time to time) which would be addressed through zoning regulation or other site specific regulations (where alignment with existing Design Guidelines is not possible or preferred, consider a limited number of additional Design Guidelines).

A block plan (per 3.8.1.1) showing individual lots, building envelope locations (incl. setbacks/stepbacks), general vehicle and pedestrian access/egress and circulation, and public space.

A massing study and shadow (solar) analysis based on proposed urban form

This must consider view corridors, shadowing, height, and building massing. The analysis must take into account adjacent land uses (including parks and public space) and adjacent natural features to be respected. (It is encouraged that the approach to design create a distinct district that is respectful of the site's history, heritage and relationship to the natural environment)

Full-colour, scaled, street level/pedestrian scale 3-dimensional renderings from various points within, adjacent to, and away from and towards the site.

Oblique perspective 3-dimensional renderings from multiple angles within and away from the site

Stage 2 of Environmental Assessment & Geotechnical Assessment

Sections 3 and 4 of Appendix I (Environmental Assessment) if required due to contamination, identification of ESA, or other reasons identified by the results of Section 3.2.3.4.

Sections 2.2-2.6 of Appendix III (Geotechnical Assessment)

3.8.2.5 Phasing Plan:

An explanation and map visualization of any expected phasing (including timelines) to take place for each of the required Plans

3.8.2.6 Achieving Vision & Objectives Summary and Rationale:

A summary of how the Draft Plan Proposal (in each of its facets) will meet the Vision & Objectives of the Plan Area. This section must also identify how the Draft Plan Proposal will advance and align the various City plans and initiatives that are reflected throughout this process. This section should integrate highlights from the various sections above to respond to this.

3.8.2.7 Final Tenant Relocation Plan

A finalized version of the tenant relocation submitted in accordance with Section 3.4, incorporating feedback from City staff.

3.8.2.8 Implementation Plan Summary:

A summary of how the Draft Plan Proposal (in each of its facets) is to be implemented. The applicant is reminded to consider that the ARP will be implemented as an amendment to the OCP and other relevant bylaws and policies

3.9 THIRD CONSULTATION (SUBMISSION VIII)

3.9.1 Final Consultation Summary:

The specific venue, format and content to be presented/displayed for engagement (whether in person or otherwise) is to be provided before each engagement event and formally approved by City Staff prior to all engagement sessions and activities.

Undertake public engagement to present the Draft Plan and Final Concept (Section 3.8) Prepare a summary of the public consultation process and results regarding the Concept proposals (see Part B: Process, Section 4.1.10 for further detail) including at minimum:

Full details on the venue, content presented/displayed, number of persons who attended in person, number of persons who participated in other formats

A summary of all public feedback received. Feedback is to be grouped into themes, as appropriate, with explanations/interpretations included as necessary

Include a copy of all written feedback appended to submission

3.9.2 Indigenous consultation summary

The summary must include a separate account of all indigenous consultation undertaken up to the time of submission and itemized separately as per 3.3.2

3.10 FINAL PLAN PROPOSAL (SUBMISSION IX)

3.10.1 Final Plan Proposal:

Same content as Draft Plan Proposal with final public input included

The proposal is to include a summary of changes that were made to plan to reflect public input from the third consultation.

3.11 PROPOSAL APPENDICES

All technical studies and reports included

All background documents on Case Studies used in Section 3.2.6 Planning Best Practices

Full details on the venue, content presented/displayed and detailed public feedback received for each of the public consultation sessions conducted

Any other documents in support of the application

4 PART B: PROCESS

4.1 INITIAL RECEIPT OF TERMS OF REFERENCE DOCUMENT

The applicant is to direct questions concerning the content of the Terms of Reference document to Policy & Planning Staff. Policy & Planning Staff will engage other internal departments as required. Should additional meetings be required at this stage, these will be arranged by Policy & Planning Staff.

The content required in the Terms of Reference document is to be generated and submitted in distinct stages. Each submission listed below is to be directed to Policy & Planning Staff. Policy & Planning Staff will circulate each submission to relevant internal departments and external organizations for comment as needed. Policy & Planning Staff will then submit all comments and feedback to the applicant for review. Only when Policy & Planning Staff formally approve each submission will the applicant be permitted to proceed to the next stage of the process.

For minor submissions (Submission 2, 3, 6, 8), the City will provide feedback and direction within approximately 1-2 weeks from the date of the of receiving a complete submission (beginning from when verification of a complete submission is acknowledged). For major submissions (Submission 1, 3, 4, 5, 7, 9), the City will provide feedback and direction within approximately 4-6 weeks from the date of receiving a complete submission.

For specific content of each submission, refer to Part A. The below is to provide context to Part A and the sequencing of the various submissions, consultations and Council check-points.

4.1.1 SUBMISSION I – ADMINISTRATION AND CONTEXT

The first submission is to include the content of 3.1 Section 1. Administration, and 3.2 Section 2. Plan Context (and any applicable appendices).

4.1.2 SUBMISSION II – FIRST CONSULTATION SUMMARY

To inform Submission II, the Applicant will conduct the first phase of public consultation according to the approved Communication and Engagement plan (Submission 1). The Applicant will provide the public with information learned from the Plan Context stage of the process, and receive public input on the development of the Vision & Objectives for the Plan Area (as informed by the Plan Context information). The proposed venue, format and content to be presented/displayed is to be provided beforehand and formally approved by City Staff prior to the session per Part A of this document.

The specific venue, format and content to be presented/displayed for engagement (whether in person or otherwise) is to be provided before each engagement event and formally approved by City Staff prior to all engagement sessions and activities.

Following the conclusion of the public consultation session, the Applicant will submit a summary of the feedback received at the session (as directed by Item 3.3 Public Consultation). Additional meetings that may be needed at this time in preparation for the next stage of the process will be arranged by Policy & Planning Staff.

4.1.3 SUBMISSION III – PRELIMINARY TENANT RELOCATION PLAN

The next submission is to be item 3.4 Preliminary Tenant Relocation Plan.

4.1.4 SUBMISSION IV – VISION AND OBJECTIVES

The next submission is to be item 3.4 Vision & Objectives. The Vision & Objectives are to be informed by the results of the Plan Context (including the public consultation) and must take input from the Pandosy Urban Centre Technical Background Report and Transportation Carrying Capacity Technical Report noted in Section 3.5.1.

4.1.5 COUNCIL CONSIDERATION

The Vision and Objectives (including all appendices) is referred to City Council along with City Staff's recommendation for development entitles (land uses and permitted FAR) for endorsement. Note that this is not first reading of a bylaw, but endorsement to proceed towards Concept Plans and a draft ARP proposal in subsequent submissions. The ARP process cannot proceed further until Council consideration of the Vision and Objectives is received.

4.1.6 SUBMISSION V – CONCEPT PROPOSALS

The fourth submission is to be item 3.6 Concept Proposal(s). The Concept Proposal(s) are to provide a high-level look at potential land use and housing, parks and public spaces, recreational and cultural facilities, and transportation and utility scenarios in support of the Vision & Objectives for the Plan Area. The Concept Proposal submission must take account of the Phase 2 Transportation Assessment, once approved by Staff and which must follow a staff-drafted TOR.

4.1.7 SUBMISSION VI – SECOND CONSULTATION SUMMARY

Public input is to be sought regarding the Concept proposals and/or preferred Concept Plan to inform Submission VI (per Section 3.7). The consultation must follow the format identified in the Communication and Engagement plan as approved by Staff. (It is encouraged that the Applicant produce multiple concept plans for review and public input, with a focus on visuals and explanations of intended outcomes).

The specific venue, format and content to be presented/displayed for engagement (whether in person or otherwise) is to be provided before each engagement event and formally approved by City Staff prior to all engagement sessions and activities.

Following the conclusion of the public consultation session, the Applicant will provide Submission VI which will include a summary of the second public consultation session (per Section 3.7). Additional meetings that may be needed at this time in preparation for the next stage of the process will be arranged by Policy & Planning Staff.

4.1.8 SUBMISSION VII – FINAL CONCEPT PLAN

This submission is to include a finalized Concept Plan informed by the public input. The final Concept Plan for the ARP will also be referred to Council for information and comment.

4.1.9 COUNCIL CONSIDERATION – FINAL CONCEPT PLAN

The Final concept Plan will be presented to Council for comment. The ARP process cannot proceed until this Submission is reviewed and endorsed by Council.

4.1.10 SUBMISSION VIII – THIRD CONSULTATION

The third and final public consultation session is to present the Draft Plan Proposal to the public and receive feedback for a final set of revisions. Consultation is to be held in accordance with the Communications and Engagement Plan as approved by City staff.

The specific venue, format and content to be presented/displayed for engagement (whether in person or otherwise) is to be provided before each engagement event and formally approved by City Staff prior to all engagement sessions and activities.

Following the conclusion of the public consultation session, the Applicant will provide Submission VIII which will include a summary of the final public consultation session (per Section 3.9). Additional meetings that may be needed at this time in preparation for the next stage of the process will be arranged by Policy & Planning Staff.

4.1.11 SUBMISSION IX – FINAL PLAN

Final public feedback is to be incorporated in the Final Plan Proposal and submitted to City Staff (as per Section 3.10).

4.1.12 COUNCIL CONSIDERATION – FINAL PLAN

The complete ARP (including all appendices) is referred to City Council for consideration. At its introduction to Council, the ARP must be accompanied by the corresponding application to amend Official Community Plan Bylaw No. 12300 and other relevant bylaws and policies required to implement the ARP. An application to amend the OCP would follow the relevant process outlined in Development Application Procedures Bylaw No. 12310, as amended or replaced from time to time. (An application to rezone the property can also be submitted at this time but is not necessary). Following Public Hearing and Council's consideration of adoption of the associated bylaw amendments, the ARP process is complete.

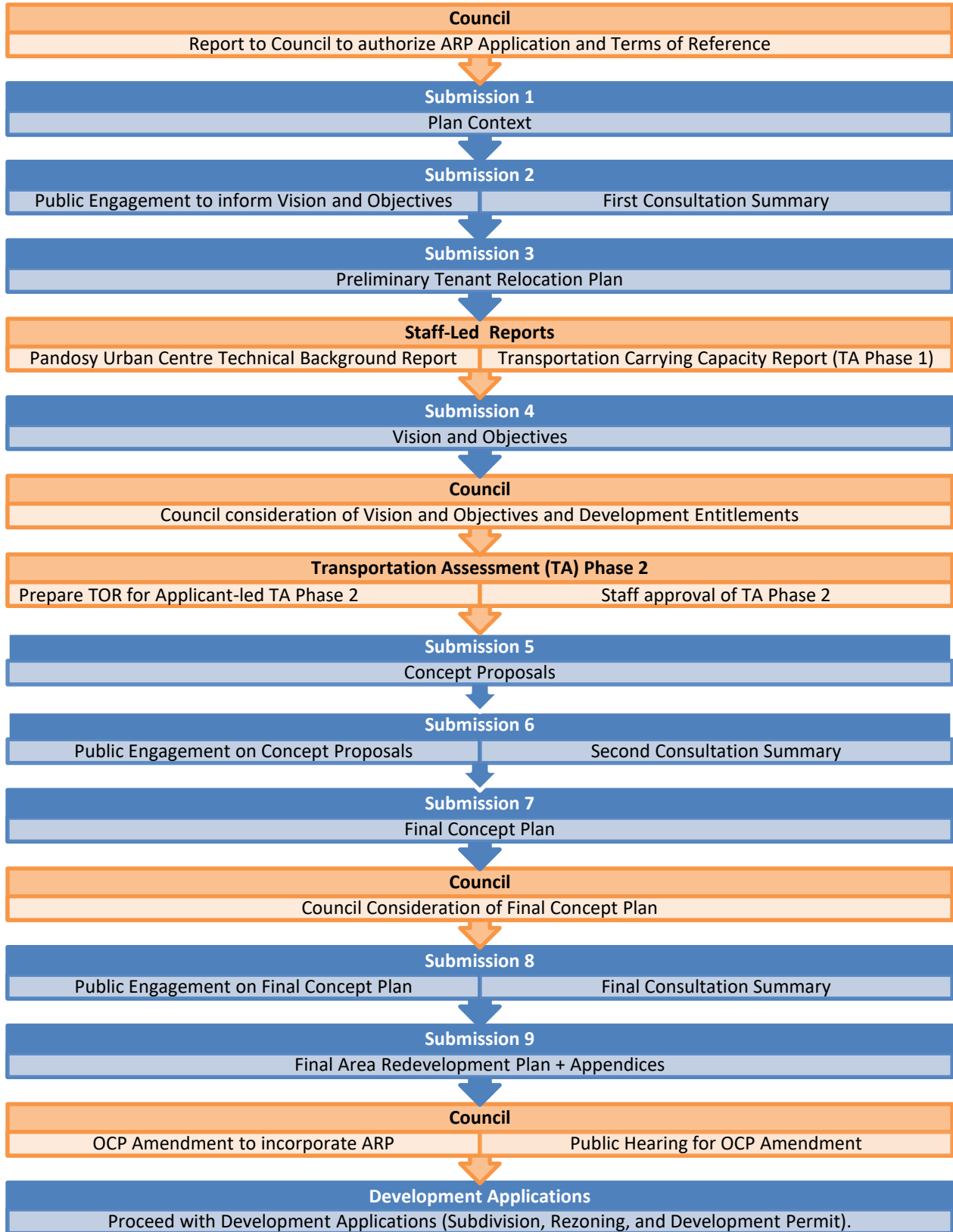


Figure 2. Casorso Neighbourhood Plan Area ARP Process

Application for Area Redevelopment Plan

Casorso Neighbourhood Plan Area


February 27, 2023

Key Topics

- ▶ Purpose: Area Redevelopment Plan Application Authorization
 - ▶ Casorso Neighbourhood Plan Area
- ▶ Area Redevelopment Plans: General information
- ▶ Casorso Neighbourhood Plan Area: Site context
- ▶ ARP: Terms of Reference & Process
- ▶ Coordination with other planning work
- ▶ Next Steps

Area Redevelopment Plans: Overview

- ▶ Council Policy 247
- ▶ Secondary to OCP
- ▶ More detailed analysis and policy guidance
- ▶ Typically developer initiated



City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
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kelowna.ca

POLICY 247

Council Policy

Hierarchy of Plans (Sector Plans/Structure Plans /Redevelopment Plans)

APPROVED June 4, 1996

RESOLUTION: R506/11/05/16
REPLACING: R375/10/04/26; R447/96/06/04; Policy No. 220 & 221
DATE OF LAST REVIEW: May 2011

A. MANDATE FOR COMMUNITY PLANS

The *Local Government Act* provides for a community plan to be adopted by a municipality containing a general statement of the broad objectives and policies of the local government respecting the form and character of existing and proposed land use and servicing requirements in the area covered by the plan. A local government may adopt one or more community plans for one or more areas.

B. HIERARCHY OF PLANNING DOCUMENTS

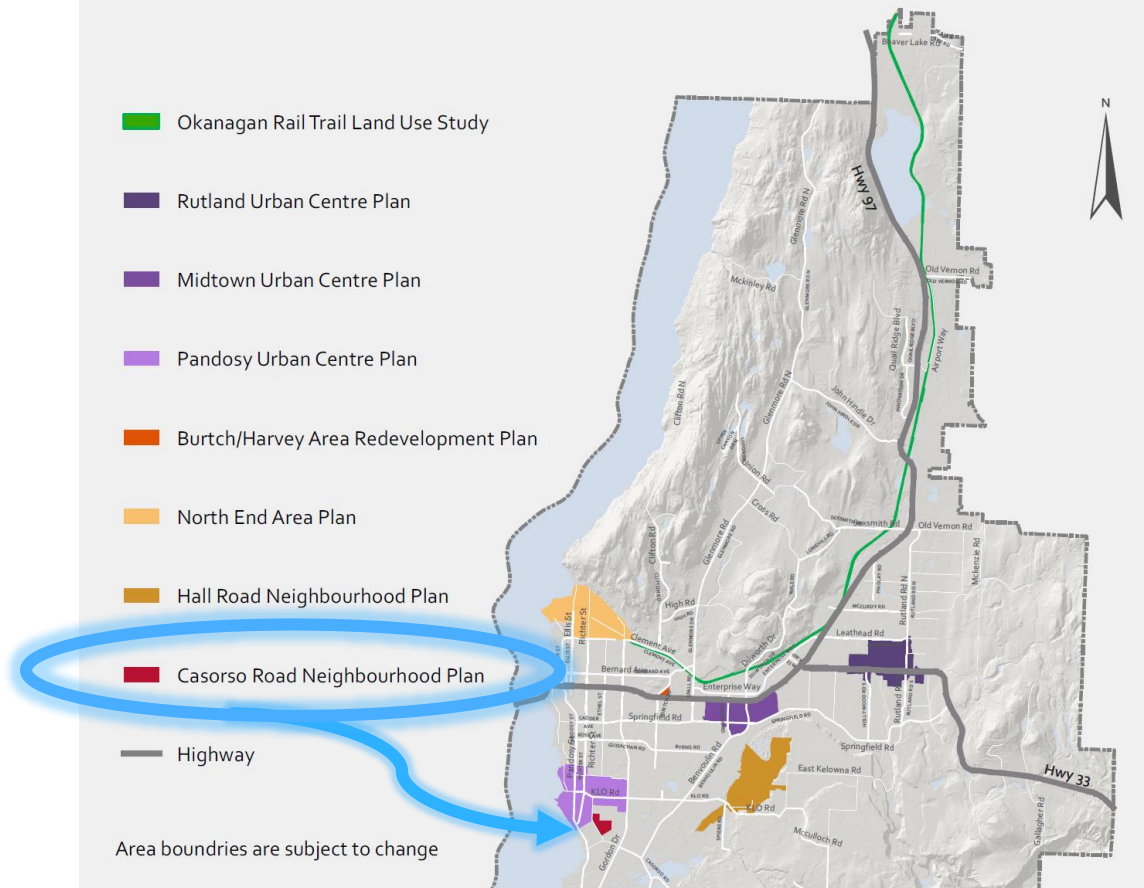
The following hierarchy of plans is proposed, and will be established by amendment to the Official Community Plan:

- Official Community Plan
- Sector Plans
- Area Structure Plans
- Area Redevelopment Plans

Casorso Neighbourhood Plan Area

2040 Official
Community Plan

Map 16.1 Special Planning
Study Areas



Casorso Neighbourhood Plan Area

- ▶ ~ 30 acres
- ▶ 10 individual parcels
- ▶ Contains Central Mobile Home Park and single-detached homes
 - ▶ Approximately 140-150 individual housing units
- ▶ Beside Pandosy Urban Centre

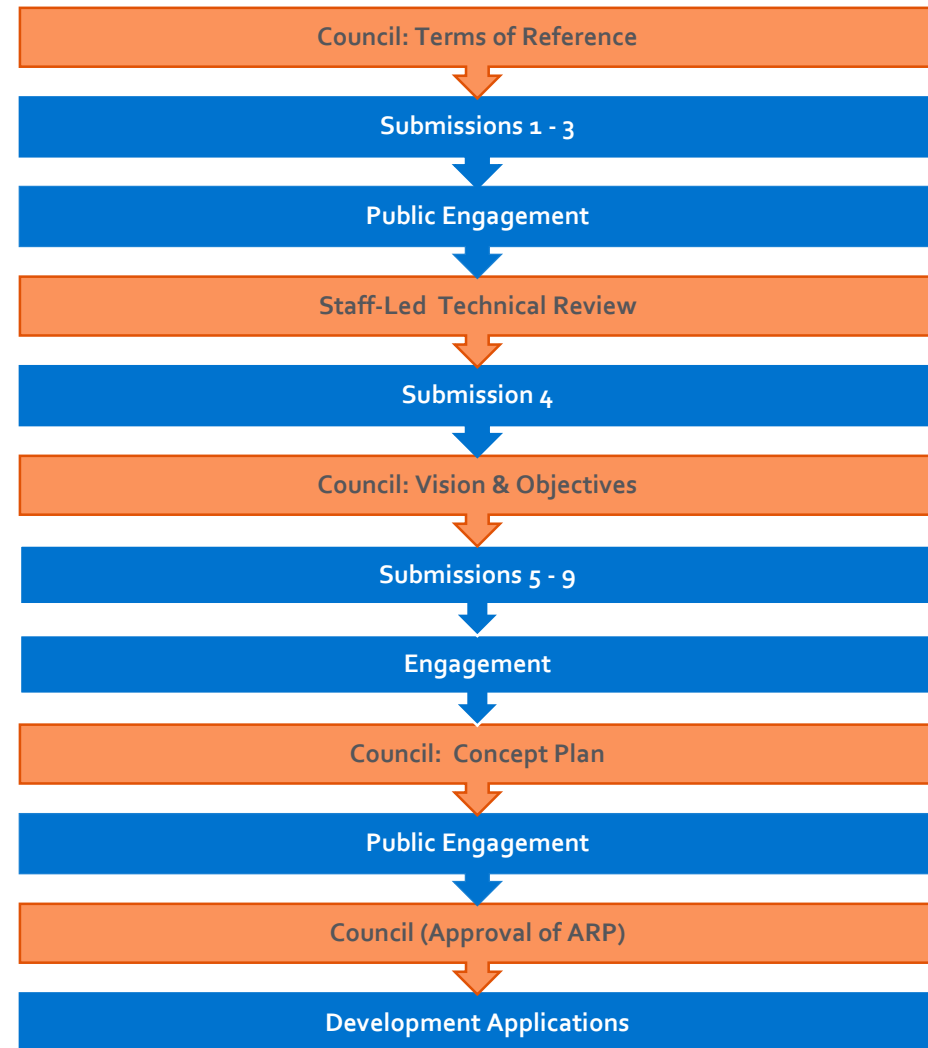


Legend

-  Remaining Casorso Neighbourhood Plan Area
-  Casorso Neighbourhood Plan Area
-  Pandosy Urban Centre

ARP Terms of Reference

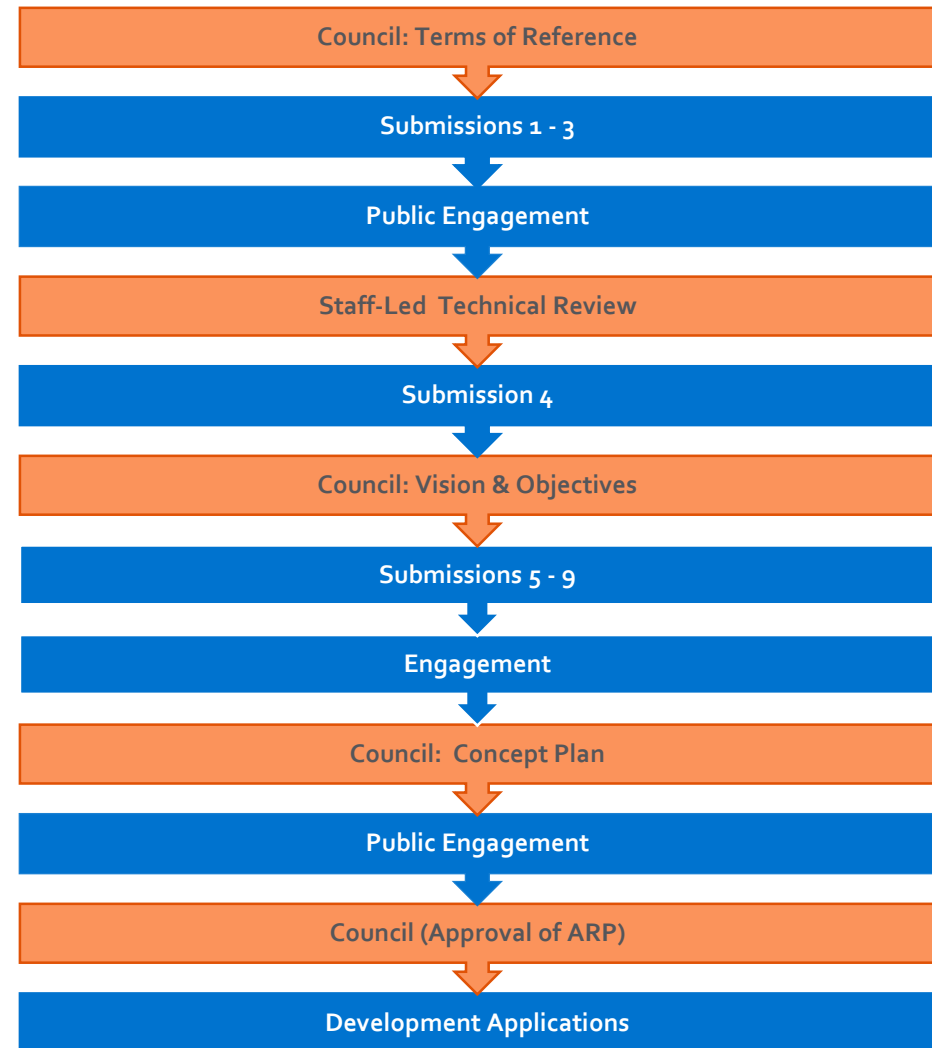
- ▶ Set expectations (Part 1) and guide process (Part 2)
- ▶ Part 1:
 - ▶ Mandatory contents of ARP
 - ▶ Details for individual technical background studies
 - ▶ Public engagement requirements
- ▶ Part 2:
 - ▶ Process requirements
 - ▶ Timing of public engagement
 - ▶ Identifies Reports to Council



ARP Terms of Reference

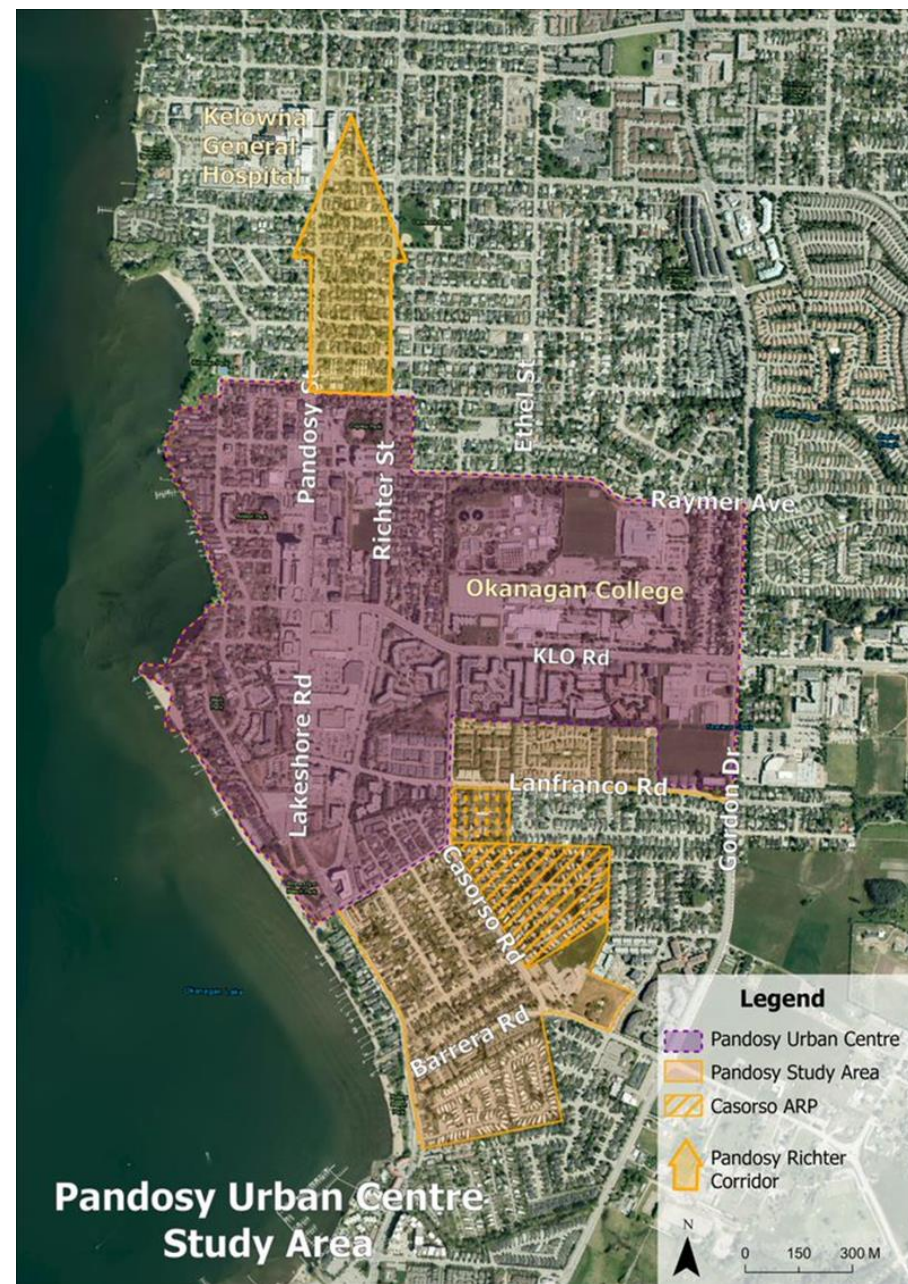
▶ Other major considerations:

- ▶ Vision and objectives
- ▶ Tenant relocation
- ▶ Public Engagement
- ▶ Balances oversight with developer timelines



ARP Coordination with other plan process

- ▶ Pandosy Urban Centre Plan:
 - ▶ Proposed for 2023
- ▶ Pandosy Richter Corridor Study:
 - ▶ Proposed for 2023
- ▶ Casorso ARP:
 - ▶ Coordinated
 - ▶ Can proceed independently



Next Steps

- ▶ Staff recommend that Council endorse ARP process
- ▶ Applicant to begin background work immediately
- ▶ Next Council touch-point – Vision and Objectives
- ▶ Report to Council on Pandosy Urban Centre planning forthcoming



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: February 27, 2023
To: Council
From: City Manager
Subject: Kelowna International Airport Terminal Expansion Loan Authorization Bylaw
Department: Kelowna International Airport and Financial Services

Recommendation:

THAT Council receive for information the report from Kelowna International Airport and Financial Services dated February 27, 2023, regarding the amendment to Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw at third reading;

AND THAT Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw be amended at third reading by removing the requirement for elector approval.

Purpose:

To amend Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw at third reading to remove the requirement for elector approval.

Background:

On January 23, 2023, Council gave reading consideration of Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw (Bylaw No. 12480) and directed staff to prepare to conduct an alternative approval process to achieve approval of the electors, subsequent to approval of the Inspector of Municipalities.

Previous Council Resolution

Resolution	Date
THAT Council receive for information the Report from Kelowna International Airport and Financial Services dated January 23, 2023, regarding bylaw reading consideration for the borrowing of forty-eight million dollars (\$48,000,000) for the construction of the Kelowna International Airport terminal expansion;	January 23, 2023

AND THAT Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw be given reading consideration;	
--	--

AND FURTHER THAT Council direct staff to prepare to conduct an alternative approval process to achieve approval of the electors, subsequent to approval of the Inspector of Municipalities.	
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Subsequent to approval by Council on January 23, 2023, Bylaw No. 12480 was sent to the Ministry of Municipal Affairs (the Ministry) for review. During their review, the Ministry identified that approval of the electors is not required for Bylaw No. 12480 in accordance with section 180 of the Community Charter as the liability is within the approval-free liability zone determined in accordance with section 7 of the Municipal Liabilities Regulation (BC Reg. 254/2004).

Elector approval is not required when the annual cost of servicing the aggregate liabilities is 5% or less. The annual cost of servicing the aggregate liabilities of the municipality for the year, including the loan for the Kelowna International Airport (the Airport) terminal building expansion, is 4.9% of the annual calculation revenue of the municipality for the previous year.

Discussion:

As outlined below, there has been extensive consultation on the expansion of the air terminal building and there has been significant public disclosure of the corresponding construction costs and debt necessary to construct the Airport terminal building expansion.

2045 Master Plan

The [2045 Master Plan](#) speaks to the need for a terminal building expansion in *Volume 1, Section 8.3 ATB Expansion*, and *Volume 1, Section 8.4 Air Terminal Building Expansion*. In addition, *Figure 56 on page 89* provides a drawing of the terminal development concept. As outlined in the Consultation Report (*Appendix C of the 2045 Master Plan*), between March 2015 and October 2016 the Master Plan 2045 communication and engagement program included:

- over 45 stakeholder meetings, presentations, and workshops
- 2 open houses
- print and electronic advertising materials, including newspaper, print ads, display boards, surveys, handouts, and presentations
- over 300 feedback forms were received, and
- advertising posts were made on YLW's website, Facebook, Twitter, and Instagram

Nine priorities were identified from the 2045 Master Plan public engagement and the Airport terminal expansion addresses three of these priorities:

- faster security screening
- greater food and beverage choices
- the ability to have more direct flights and flights overseas

Airport Advisory Committee Support

On October 29, 2019, the Airport Advisory Committee (the AAC) supported the proposed Soaring Beyond 2.5 Million Passengers Airport Improvement Fee (AIF) Program as presented, obtaining the approval of Council for a capital budget request of \$69,900,000 for the Soaring Beyond 2.5 Million Passengers AIF Program in the 2020 Financial Plan, and obtaining the approval of Council to increase the AIF to \$25, effective March 1, 2020. This meeting was open to the public and the AAC consisted of the City of Kelowna Mayor, a City of Kelowna Councilor, and a representative from the community at large, the aviation industry, UBCO, the Central Okanagan Regional District, City of Vernon, City of Penticton, City of Salmon Arm, District of Peachland, District of Lake Country, District of West Kelowna, Kelowna Chamber of Commerce, South Okanagan Chamber of Commerce, Summerland Chamber of Economic Development and Tourism, Vernon Chamber of Commerce, Greater Westside Board of Trade, Westbank First Nations, the Economic Development Commission, and Tourism Kelowna.

Council Approval of an Increase in the AIF to \$25

On November 4, 2019, Council publicly approved a \$5 increase to the Airport Improvement Fee in order to help fund the Soaring Beyond 2.5 Million Passengers AIF capital program, including the Airport terminal expansion.

AAC Update

On September 22, 2022, the AAC received a report that included an update on the Airport terminal building expansion and the enabling works currently underway. This meeting was also open to the public.

Council Orientation

On November 21, 2022, Council received a report that provided an overview of the Airport's finances and its 10-Year Capital Plan. This report indicated that the Airport would draw down on all of the AIF reserves and increase its debt payments outstanding to just under \$40,000,000 in 2025 in order to fund the Soaring Beyond 2.5 Million Passengers AIF capital program.

Council Approval of the Airport Terminal Expansion Budget

Within the City of Kelowna's 2020 Financial Plan, Council approved a capital budget of \$67,300,000 for the construction of the Airport terminal building expansion within the Soaring Beyond 2.5 Million Passengers AIF Program.

Within the City of Kelowna's 2023 Financial Plan, Council approved a capital budget of \$33,600,000 for the Soaring Beyond 2.5 Million Passengers AIF Program, of which \$22,900,000 was for the Airport terminal building expansion.

Conclusion:

The Airport and Financial Services recommend that Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw be amended at third reading as elector approval is not required.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Community Charter, S. 180 – elector approval required for some loan authorization bylaws

- 180 (1) Subject to subsection (2), a loan authorization bylaw may only be adopted with the approval of the electors.
- (2) Approval of the electors is not required for the following:
 - (a) money borrowed for a purpose referred to in section 179(1)(d) to (g) [loan authorization bylaws for court, arbitration and expropriation requirements];
 - (b) money borrowed for works required to be carried out under
 - (i) an order of the Inspector of Dikes, or
 - (ii) an order under section 84 [abatement of municipal pollution], 85 [environmental protection orders] or 87 [environmental emergency measures] of the Environmental Management Act.
 - (c) money borrowed for a purpose prescribed by regulation or in circumstances prescribed by regulations, subject to any conditions established by regulation.
- (3) In addition to the exception provided by section 137(2) [power to amend or repeal], a loan authorization bylaw may be amended or repealed without the approval of electors if the inspector approves and subject to any terms and conditions the inspector considers appropriate.

Municipal Liabilities Regulation, S. 7 – approval-free liability zone

- 7 Approval of the electors is not required under section 175(2) [liabilities under agreements] or section 180(1) [loan authorization bylaws] of the Community Charter if
 - (a) at the time it proposes to incur the liability;
 - (i) the annual cost of servicing the aggregate liabilities of the municipality for the year, as determined in accordance with section 3 of this regulation, does not exceed
 - (ii) 5% of the annual calculation revenue of the municipality for the previous year, as determined in accordance with sections 4 and 5 of this regulation, and
 - (b) incurring the liability would not cause the annual cost referred to in paragraph (a)(i) to exceed the limit established by paragraph (a)(ii).

Financial/Budgetary Considerations:

As approved by Council in 2019 and 2022, the terminal building expansion at Kelowna International Airport has an overall budget of \$90,675,000, with funding proposed as follows:

Source of Funding	Value (\$)
Airport AIF Reserve	\$42,675,000
Borrowing (AAP) to be paid from the Airport AIF Reserve	48,000,000
Total	\$90,675,000

The terminal building expansion and payment of the corresponding debt would be funded through the Airport improvement fee and would have no impact on taxation.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

External Agency/Public Comments:

Communications Comments:

Submitted by:

S. Dyrdal, Senior Airport Finance and Corporate Services Manager

J. Sass, Finance Director

Approved for inclusion:

S.S.

cc:

T. McQueenie, Airport Corporate Services Manager

M. Friesen, Acting Controller

L. Bentley, Deputy City Clerk



YLW

Kelowna International Airport

Airport Terminal Expansion Loan Authorization Bylaw Amendment

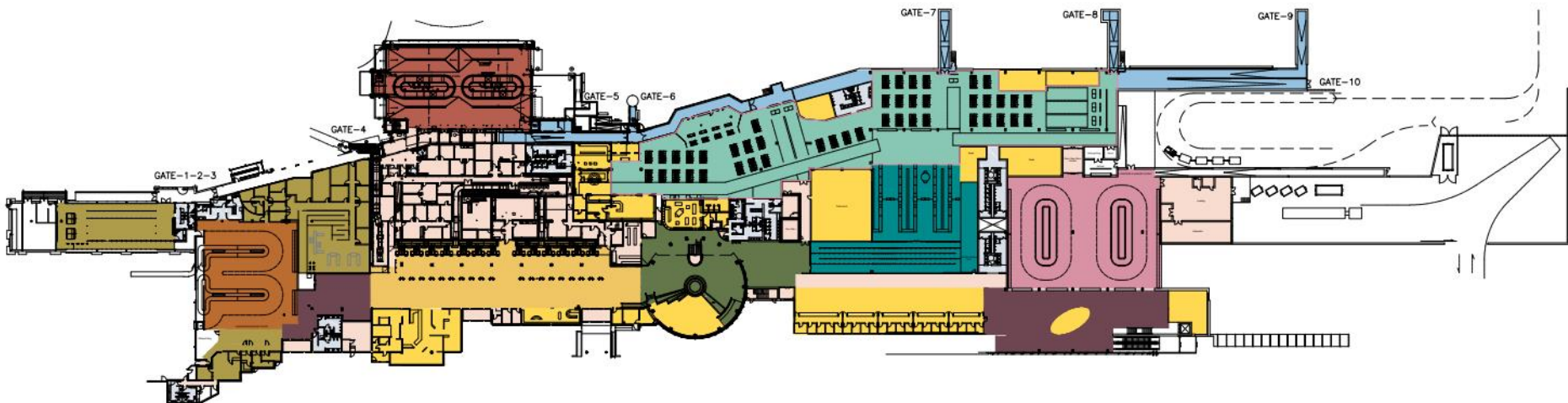
February 27, 2023

Loan Authorization Bylaw Amendment

- ▶ January 23, 2023
 - ▶ Approval of the electors required
- ▶ Ministry of Municipal Affairs review
 - ▶ Municipal Liabilities Regulation, section 7
 - ▶ Approval of the electors is not required if
 - ▶ The annual cost of servicing aggregate liabilities, including the new liability, does not exceed 5% of the previous year's revenues
 - ▶ City of Kelowna: 4.9%
 - Approval-free liability zone

Public Consultation and Awareness

- ▶ Airport Master Plan 2045
 - ▶ Requirement for a terminal building expansion
 - ▶ Volume 1, Section 8.3 ATB Expansion
 - ▶ Volume 1, Section 8.4 Air Terminal Building Expansion
 - ▶ Volume 1, Figure 56 on page 89



Public Consultation and Awareness

- ▶ Airport Master Plan 2045
 - ▶ Appendix C, consultation report
 - ▶ Over 45 stakeholder meetings, presentations and workshops
 - ▶ 2 open houses
 - ▶ Print and electronic advertising materials, including newspaper, print ads, display boards, surveys, handouts and presentations
 - ▶ Over 300 feedback forms received
 - ▶ Advertising posts made on YLW's website, Facebook, Twitter and Instagram

Public Consultation and Awareness

- ▶ Airport Master Plan 2045
 - ▶ Public top priorities



Public Consultation and Awareness

- ▶ Airport Advisory Committee
 - ▶ Kelowna Mayor and Councilor
 - ▶ Municipalities and regional districts from Salmon Arm to Penticton
 - ▶ Westbank First Nation
 - ▶ UBCO
 - ▶ Chambers of Commerce
 - ▶ Kelowna, South Okanagan, Summerland, Vernon
 - ▶ Greater Westside Board of Trade
 - ▶ Economic Development Commission
 - ▶ Tourism Kelowna
 - ▶ Aviation industry
 - ▶ Member of the community at large

Public Consultation and Awareness

- ▶ Airport Advisory Committee
 - ▶ October 29, 2019, supported
 - ▶ the Soaring Beyond 2.5 Million Passengers AIF Program
 - ▶ capital budget request of \$69.9 M
 - ▶ increasing the AIF to \$25
 - ▶ September 22, 2022
 - ▶ Airport terminal building expansion and the enabling works currently underway

Public Consultation and Awareness

▶ Council

- ▶ November 4, 2019
 - ▶ Approved \$5 increase to the AIF
- ▶ December 2019
 - ▶ 2020 Financial Plan: \$67.3M capital budget approved
- ▶ November 21, 2022
 - ▶ Overview of
 - ▶ the Airport's 10-year capital plan
 - ▶ its finances
 - ▶ the need for debt in addition to the AIF reserves
- ▶ December 2022
 - ▶ 2023 Financial Plan: \$22.9M capital budget approved



Questions?

For more information, visit ylw.kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 12480

Kelowna International Airport Terminal Building Expansion Loan Authorization Bylaw

WHEREAS it is deemed desirable to expand the Kelowna International Airport Terminal Building;

AND WHEREAS the estimated cost of expanding the Kelowna International Airport Terminal Building including expenses incidental thereto is the sum of ninety million, six hundred and seventy-five thousand dollars (\$90,675,000.00), of which the sum of forty-eight million dollars (\$48,000,000.00) is the amount of debt intended to be borrowed by this bylaw;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained;

AND WHEREAS approval of the electors for the Loan Authorization Bylaw is not required under section 180 of the Community Charter as the liability is within the approval-free liability zone determined in accordance with section 7 of the Municipal Liabilities Regulation (BC Reg. 254/2004);

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

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the expansion of the Kelowna International Airport Terminal Building, and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - (a) To borrow upon the credit of the municipality a sum not exceeding forty-eight million dollars (\$48,000,000.00);
 - (b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the expansion of the Kelowna International Airport Terminal Building.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is thirty (30) years.
3. This bylaw shall take effect on the date of its adoption by Council.
4. This bylaw may be cited for all purposes as "Kelowna International Airport Terminal Building Loan Authorization Bylaw No. 12480".

Read a first, second and third time by the Municipal Council this 23rd day of January, 2023.

Amended at third reading by the Municipal Council this

Bylaw No. 12480 - Page 2

Received the Approval of the Inspector of Municipalities this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: February 27, 2023
To: Council
From: City Manager
Subject: Value for Money Assurance Program
Department: Financial Services

Recommendation:

THAT Council approve the selected assurance engagements for 2023 in the report titled “Value for Money Assurance Program” and receive for information the proposed evolution of the Value for Money program.

Purpose:

To approve the 2023 Value for Money (VFM) Assurance projects and to provide an overview on the existing and proposed future of the Value for Money Assurance Program.

Background:

Consistent with the City’s commitment to transparency and accountability to the taxpayer, the Value for Money Assurance program was created in 2018 to supplement the existing Internal Control program in order to enhance the organizational governance and ensure quality and value for money for City programs.

Goals of the program were identified as:

- Stewardship of civic assets
- Utilization of independent advisory services
- Promotion of public service transparency and ethics
- Demonstration of strong leadership

To date, 5 Value for Money Assurance engagements have been completed resulting in recommendations and actions to improve services and outcomes for the public.

Completed VFM Assurance Engagements:

- NAPA Operations – part of 2013 list, completed in 2019, presented to audit committee and Council in 2020
- Cemetery Operations – part of 2013 list, complete in 2019, presented to audit committee and Council in 2020
- Kelowna Community Theatre – part of 2013 list, completed in 2019, presented to audit committee and Council in 2020
- Rotary Centre for the Arts (RCA) – completed in 2021, presented to audit committee in 2021 and Council in 2022
- H2O Operations – completed in 2022, presented to audit committee in 2022

Discussion:

Staff maintain a list of proposed VFM projects and select those to be completed in each fiscal year. The process for determining projects is a 2-step process:

1. Projects were identified by Supervisors, Managers, Divisional Directors, City Manager and/or Council
2. Those identified projects were assessed against established risk criteria to rank the proposed list and identify areas of priority

The proposal for 2023 is to select 3 projects from the list below or to identify projects that have not been previously identified and prioritize them. Refer to Appendix 1 for the risk assessment results for these projects and Appendix 2 for a listing of the criteria used.

1. Library
2. Infrastructure deficit
3. Stores operations
4. Data analytics
5. 3rd party workorders
6. Security contracts
7. Ogogrow
8. Project management
9. Recreation coupons
10. Treasury process review - NEW
11. Public (community) safety - NEW

For 2023, staff propose the following projects be endorsed by Council:

Project	Description	Target Completion
Treasury Process Review	Determine if the treasury function is efficient and effective at maximizing our investment returns and managing associated risks.	April 30, 2023

Public (Community) Safety	Evaluate if the City of Kelowna’s community safety activities and expenditures are governed under a unified model to efficiently and effectively deliver community safety strategies and outcomes.	August 1, 2023
Project Management	Determine if project management methodologies and assumptions are applied to projects consistently and review related budget processes for multi-year projects to mitigate inflationary pressures.	November 30, 2023
Data Analytics	Assess how data is collected, managed, stored, and consumed to determine the need for improved data literacy and governance.	Deferred

In addition to selecting projects to be completed in 2023 and given the rapid growth of the City and growing programmatic output in the various divisions across the organization, there is the opportunity to enhance the Value for Money Assurance program to continue to provide transparency and accountability to our citizens as well as systematically manage organizational risks and improve practice.

Proposed enhancements to the Internal Control Program for the 2023 fiscal year are as follows:

- Continue performing engagements that focus on enhancement of internal controls and process improvement
- Raise the profile of the Value for Money Assurance program to include Council input prior to and during project selection, including approval of the annual engagement plan and presentation of resulting report/recommendations to Council
- Enhance the number of Value for Money Assurance engagements completed per annum
- Structure the Corporate Assurance team to meet professional audit standards including managing independence risks
- Integrate organizational risk management processes, and strategic planning processes to maximize value and utility of resources
- Conduct ongoing monitoring of implementation of historical recommendations through regular follow-up reports

A budget request will be brought forward as part of the 2024 budget process for consideration on growing this program. It is intended that this program be roughly cost neutral over time, as operational efficiencies should compensate for costs of completing the work.

Conclusion:

For 2023, 3 Value for Money projects are proposed above. Further, a budget proposal will be brought forward for consideration as part of the 2024 budget process to expand the Value for Money program.

Internal Circulation:

N/A

Considerations applicable to this report:

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by:

J. Sass, Finance Director

Approved for inclusion:

JS

cc:

Risk Assessment Criteria

The "risk factor" is calculated based on a ranking of 1-5 for each of the assessment criteria multiplied by the weight factor assigned to each assessment criteria. For example, if the impact on operations was given a ranking of 4 the resulting risk factor would be 12 (4x3).

Impact

Assessment Criteria	Weight Factor
Impact on operations	3
Value of annual expenditure	2
Political and public exposure	5
Compliance implications	4
Perceived urgency	1

Likelihood

Assessment Criteria	Weight Factor
Are KPI's or performance measures in place?	2
Time since last review of this function	5
Process complexity	3
Known issues	4
Overriding factor	1



Value for Money Assurance Program

February 27, 2023

Outline

History

Program Goals

Enhancements

Risk Assessment Criteria

Proposed 2023 Projects



Value for Money Program History



Created in 2018 to supplement existing Internal Control Program



VFM engagements completed to date

5



In-process:

1

Goals of the Program

Stewardship of
civic assets

Utilization of
independent
advisory
services

Promotion of
public service
transparency
and ethics

Demonstration
of strong
leadership



Proposed Enhancements



Continue engagements focused on enhancement of internal controls and process improvement



Raise profile of VFM Assurance program to include Council input



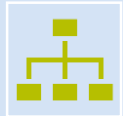
Enhance number of VFM Assurance engagements completed per annum



Proposed Enhancements



Structure Corporate Assurance team to meet professional audit standards including managing independence risks



Integrate organizational risk management process, and strategic planning process



Conduct ongoing monitoring of historical recommendations through regular follow-up reports



VFM Projects – Risk Assessment Criteria

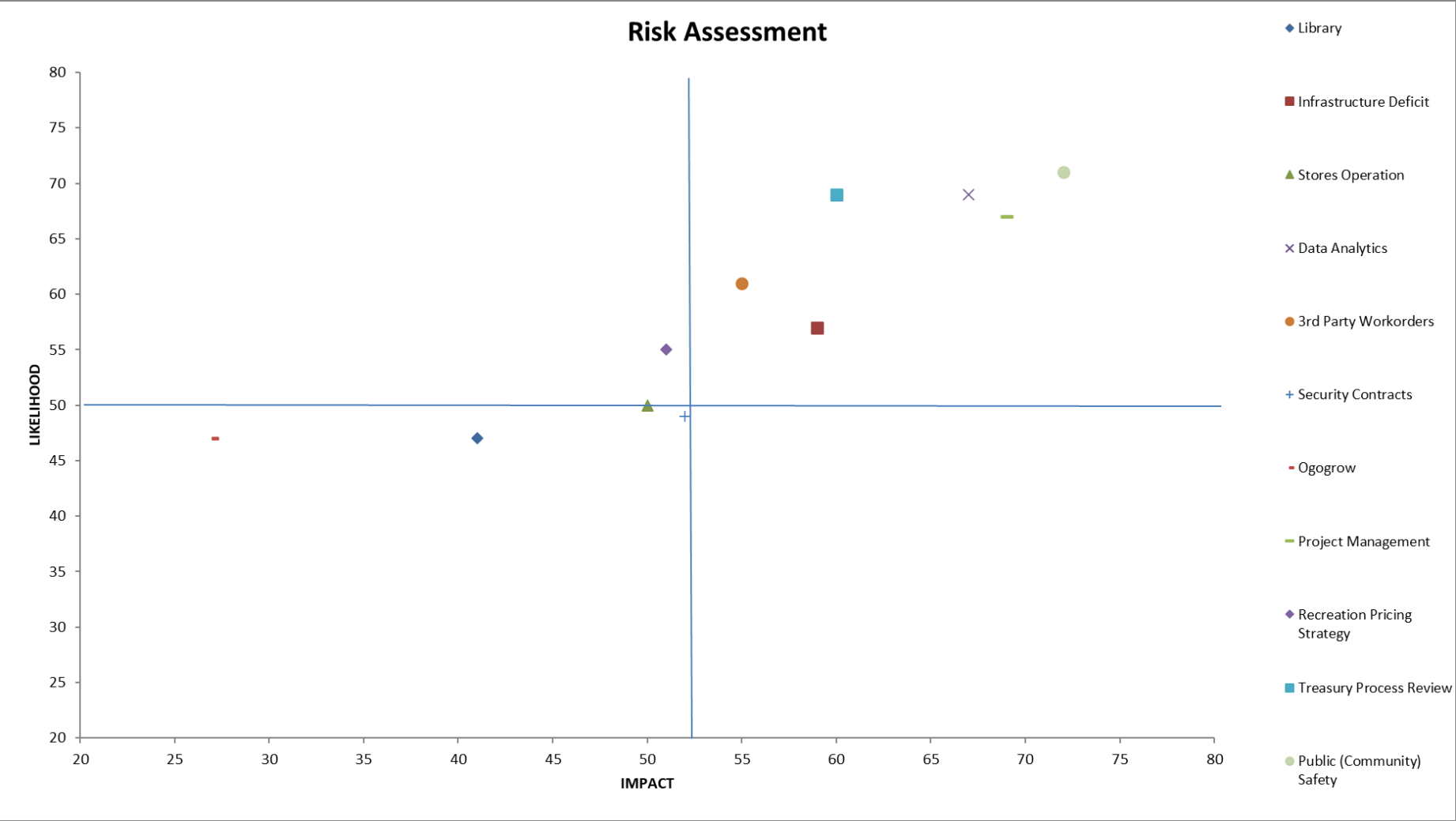
Impact

- Impact on operations
- Value of annual expenditure
- Political and public exposure
- Compliance implications
- Perceived urgency

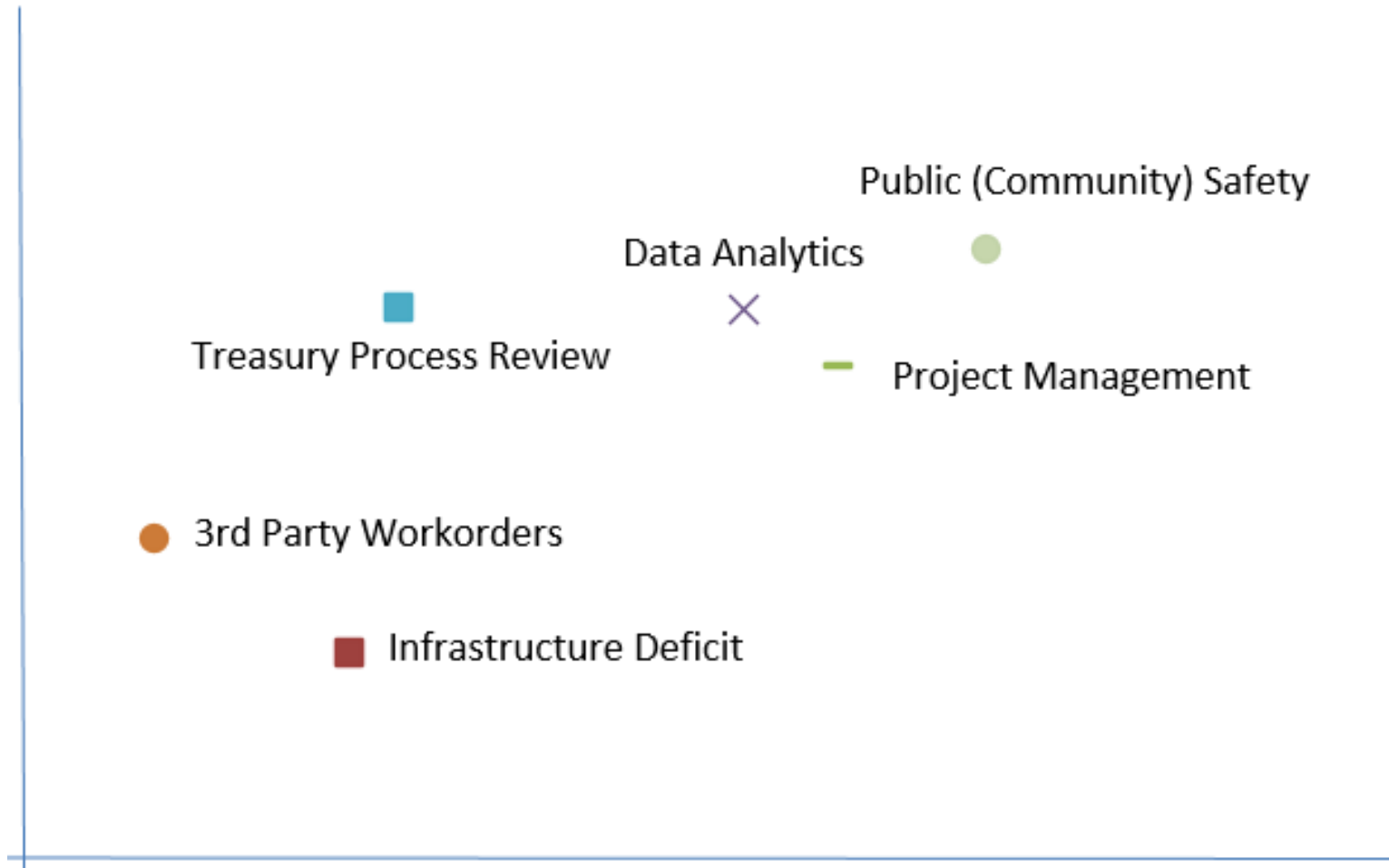
Likelihood

- Are KPI's or performance measures in place?
- Time since last review or this function
- Process complexity
- Known issues
- Overriding factor

VFM Projects – Risk Assessment Results



VFM Projects – Risk Assessment Results



Proposed Projects for 2023

Treasury Process Review

Targeted Completion:
April 30, 2023

- Determine if the treasury function is efficient and effective at maximizing returns and managing associated risks.

Public (Community) Safety

Targeted Completion:
August 1, 2023

- Determine if City of Kelowna community safety activities and expenditures are governed under a unified model to efficiently and effectively deliver community safety strategies and outcomes.

Project Management

Targeted Completion:
November 30, 2023

- Determine if project management methodologies and assumptions are applied to projects consistently and review related budget process for multi-year projects to mitigate inflationary pressures.

Data Analytics

Deferred

- Assess how data is collected, managed, stored, and consumed to determine the need for improved data literacy and governance.

Summary



VFM Assurance Program achieving goals



Proposed enhancements further strengthen the program



Seeking Council endorsement of 2023 VFM project selection



*Questions?
For more
information, visit
kelowna.ca.*



DRAFT RESOLUTION

Re: Kelowna Springs Golf Course Future Land Use Designation

THAT Council direct staff to bring forward for Council consideration a bylaw to amend the OCP 2040 Future Land Use Map 3.1 designation for 480 Penno Rd from the "IND - Industrial" designation to the "REC – Private Recreational" designation.

BACKGROUND:

Councillor Stack indicated his intent to bring forward a resolution to amend the future land use designation for Kelowna Springs Golf Course, located at 480 Penno Road, on January 16, 2023.

Council considered amending the future land use designation for this property last Council term, and did not advance the amending bylaw to a public hearing:

[Item 5.2 Afternoon Council Meeting - July 25, 2022](#)

[Item 3.2 and 3.3 Afternoon Council Meeting - August 22, 2022](#)

COUNCILLOR STACK COMMENTS

This 106 acre property, located at 480 Penno Road, has been designated "Private Recreational" since its inception as a golf course in 1989. This property is a popular, well designed, and well-loved 18 hole golf course. All members of the community can book the use of this course. The OCP designation was changed in 2022 to "Industrial" as part of the OCP-2040 update. Kelowna City Council was divided at the time on what the Future Land Use designation should be. After hearing extensively from the public, I concluded that the appropriate future Land use for this property should continue to be "Private Recreational." This motion is being put forth to restore the historical OCP designation to the property. The primary reasons behind this motion are:

1. Strong Public support to retain this property as Private Recreational.
2. Large, flat, walkable green space is in limited supply within the City of Kelowna. This property adds to the health and wellness of many Kelowna residents.
3. Kelowna Springs features natural spring fed ponds that provide water to the golf course.
4. The property is contiguous to the Ackland Pond wetland. Wildlife moves freely between the course grounds and marsh. Industrial development of this property will significantly affect this wetland and surrounding ALR properties. This valuable green space should be protected and maintained.
5. Private recreational space contributes to the strong tourism sector of Kelowna.

In summary: Year after year we hear how we are losing natural green space across the continent. The continuous loss of open green space is negatively affecting the quality-of-life Kelowna residents and visitors enjoy. Much of the City's new OCP2040 is designed to limit urban growth and the negative impacts it has on the surrounding area. Both citizens, visitors and wildlife in the area will benefit more from private recreational space than they will from industrial factories and warehouses.

It must be noted that this property is privately held, and property owners, through a public process, have the right to bring forward proposals to change land use and zoning. It is my hope this property will continue to be operated as a golf course, but the decision to operate the golf course remains with the property owner.

Date: February 27, 2023