

City of Kelowna
Regular Council Meeting
AGENDA



Monday, November 6, 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

4 - 9

PM Meeting - October 30, 2023

3. Reports

3.1 January 1 to August 31, 2023 RCMP Officer in Charge Report

10 - 29

To present Council with an update for January 1 to August 31, 2023 public safety and crime data.

4. Development Application Reports & Related Bylaws

4.1 Valley Rd 127 - A23-0009 - Edmund Bonn

30 - 54

To support an application to the Agricultural Land Commission for a subdivision for the purpose of a homesite severance.

4.2 Amendments to Multiple Sections of Zoning Bylaw - TA23-0010 (BL12594) - City of Kelowna

55 - 89

To amend the Zoning Bylaw to improve and clarify definitions and regulations in Section 3, Section 5, and Section 7 through Section 15.

4.3 Amendments to Multiple Sections of Zoning Bylaw - BL12594 (TA23-0010) - City of Kelowna

90 - 99

To give Bylaw No. 12594 first reading in order to amend sections of the Zoning Bylaw.

4.4	Appaloosa Rd 3256 - Z23-0024 (BL12592) - Astria Hollywood Nominee Ltd., Inc.No. BC1363016	100 - 115
	To rezone the subject property from the A2 – Agriculture / Rural Residential zone to the I2 – General Industrial zone to facilitate industrial development.	
4.5	Rezoning Bylaws Supplemental Report to Council	116 - 117
	To receive a summary of notice of first reading for Rezoning Bylaw No. 12589 and to give the bylaw further reading consideration.	
4.6	Fordham Rd 4665 - BL12589 (Z23-0057) - Mohsen Amir Joze-Khajavi and Nazanin Jose-Khajavi	118 - 118
	To give Bylaw No. 12589 first, second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone.	
4.7	Denali Drive 777 - DP23-0108 - Emil Anderson Construction Co. Ltd., Inc.No. C172775	119 - 165
	To issue a Development Permit for the form and character of a proposed 3-storey apartment building on top of a 2-storey townhouse.	
5.	Non-Development Reports & Related Bylaws	
5.1	Agricultural Plan Progress Report 2023	166 - 189
	To provide Council an update on the implementation progress of the 2017 Agriculture Plan.	
5.2	2024/25 - BC Active Transportation Grant Application	190 - 192
	To authorize staff to apply for a BC Active Transportation Infrastructure Grant for the Rail Trail to Greenway and Bertram Multi-Use Overpass.	
6.	Resolutions	
6.1	Draft Resolution - re: 2024 Council Meeting Schedule	193 - 193
6.2	Draft Resolution - Addition of Public Hearing and Regular Meeting - November 28, 2023	194 - 194
6.3	Community Task Force on Performing Arts	
	Membership Update by Mayor Dyas	
7.	Bylaws for Adoption (Non-Development Related)	

7.1 BL12584 - Amendment No. 25 to Subdivision, Development and Servicing Bylaw No. 7900

195 - 195

To adopt Bylaw No. 12584.

8. Mayor and Councillor Items

9. Termination



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, October 30, 2023
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Gord Lovegrove, Luke Stack, Rick Webber and Loyal Wooldridge
Members Absent	Councillors Charlie Hodge and Mohini Singh
Staff Present	City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Urban Planning Manager, Jocelyn Black*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Divisional Director, Financial Services, Joe Sass*; Corporate Assurance Supervisor, Jennifer Grills*; Utility Planning Manager, Rod MacLean*; Development Engineering Manager, Nelson Chapman*; General Manager, Infrastructure, Mac Logan*
Staff Participating Remotely	Legislative Coordinator (Confidential), Clint McKenzie*; Legislative Coordinator (Confidential), Arlene McClelland*

(* Denotes partial attendance)

1. Call to Order

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

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

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 Wooldridge/Seconded By Councillor DeHart

THAT the Minutes of the Regular Meetings of October 23, 2023 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Montgomery Rd 450 - Z23-0060 (BL12591) - Timothy Donald and Jette Toxvard Roth

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Stack

THAT Rezoning Application No. Z23-0060 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 11 Section 26 Township 26 ODYD Plan 7783, located at 450 Montgomery Rd, Kelowna, BC from the UC₄ – Rutland Urban Centre zone to the UC_{4r} – Rutland Urban Centre Rental Only zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated October 30, 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.

Carried**3.2 Lakeshore Rd 3593 - Z23-0036 (BL12593) - Immortal Homes Ltd., Inc. No. A0101356**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Rezoning Application No. Z23-0036 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 10 District Lot 134 ODYD Plan 2988, located at 3593 Lakeshore Road, Kelowna, BC from the RU₁ – Large Lot Housing zone to the MF₃ – Apartment 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 October 30, 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 property.

Carried

Councillors Cannan and Lovegrove - Opposed

City Manager:

- Made comments on the City's Transportation plans.

3.3 Rezoning Bylaws Supplemental Report to Council

Deputy City Clerk:

- Summarized notice of first reading and advised no correspondence was received for the rezoning application at 2435 Taylor Crescent.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from the Office of the City Clerk dated October 30, 2023, with respect to one rezoning application;

AND THAT Rezoning Bylaws No. 12583 be forwarded for further reading consideration.

Carried

3.4 Taylor Cr 2435 - BL12583 (Z23-0034) - 10088 Investments Ltd., Inc. No. A0127481

Moved By Councillor Lovegrove/Seconded By Councillor Cannan

THAT Bylaw No. 12583 be read a first, second, and third time.

Carried

4. Bylaws for Adoption (Development Related)

4.1 Amendments Regarding Electric Vehicle Readiness Requirements - BL12582 (TA23-0009) - City of Kelowna

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12582 be adopted.

Carried

Councillor Cannan - Opposed

5. Non-Development Reports & Related Bylaws

5.1 Glenmore Landfill Value for Money

Staff:

- Displayed a PowerPoint Presentation outlining the Glenmore Landfill Value for Money review and recommendations and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Council receives, for information, the Report from Financial Services dated October 30, 2023, with respect to the results of the Glenmore Landfill Value for Money engagement.

Carried

5.2 Treasury Process Value for Money

Staff:

- Displayed a PowerPoint Presentation outlining the Treasury Process Value for Money review and recommendations.

Moved By Councillor Stack/Seconded By Councillor Webber

THAT Council receives, for information, the Report from Financial Services dated October 30, 2023, with respect to the results of the Treasury Process Value for Money engagement.

Carried

5.3 Critical Community Infrastructure Fund Grant

Staff:

- Displayed a PowerPoint presentation outlining the grant funding for dam safety improvements on Turtle Lake and the Rutland Centre sewer connection project and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receives for information the report from the Utility Services Department dated October 30, 2023, with respect to a grant from the Province of British Columbia's Critical Community Infrastructure Fund;

AND THAT the 2023 Financial Plan be amended to include \$3,000,000 for the Turtle Lake Dams Renewal Project funded from the Community Critical Infrastructure Fund;

AND FURTHER THAT any unused amounts from the \$3,000,000 Community Critical Infrastructure Fund be contributed to the Rutland Centre Sewer Connection Project via the Septic Removal Specified Area Reserve Fund;

AND FURTHER THAT the 2023 Financial Plan be amended to increase the Rutland Centre Sewer Connection Project budget by \$6.4 million, with funding of \$244,400 transferred from the Wastewater Offsite and Oversize project, all remaining funds from the Community Critical Infrastructure Fund, and up to \$6,155,600 from the Septic Removal Specified Area Reserve Fund.

Carried

5.4 Rescindment of Council Policy No. 265 Engineering Drawing Submission Requirements

Staff:

- Displayed a PowerPoint presentation outlining proposed rescindment of Council Policy 265 and associated amendments to Bylaw No. 7900 and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from the Development Services Department, dated October 30th, 2023, regarding Council Policy 265;

AND THAT Council Policy No. 265, being Engineering Drawing Submission Requirements, be rescinded;

AND THAT Bylaw No. 12584, being Amendment No. 25 to Subdivision, Development and Servicing Bylaw No. 7900, be forwarded for reading consideration.

Carried

5.5 BL12584 - Amendment No. 25 to Subdivision, Development and Servicing Bylaw No. 7900

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12584 be read a first, second and third time.

Carried

6. Resolutions

6.1 Draft Resolution - Agricultural Advisory Committee Terms of Reference

Staff:

- Commented on the Agricultural Advisory Committee and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Stack

THAT Council endorses the Agricultural Advisory Committee Terms of Reference;

AND THAT recommendations for Committee member appointments be brought forward for Council consideration.

Carried

6.2 Community Task Force on Performing Arts

Mayor Dyas:

- Provided a statement regarding the Community Task Force on Performing Arts and named the proposed members.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council receive the appointment of Members to the Community Task Force on Performing Arts.

Carried

7. Bylaws for Adoption (Non Development Related)

7.1 BL12587 - Amendment No. 41 to Sewerage System User Bylaw No. 3480

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Bylaw No. 12587 be adopted.

Carried

8. Mayor and Councillor Items

Councillor DeHart:

- Spoke to their attendance at the Wellness and Sport Facility kickoff at the Okanagan College.
- Spoke to their attendance at the Downtown Kelowna Association Afterhours event.
- Spoke to their attendance at the HOPE International fundraiser for children.
- Spoke to their attendance at the Chamber of Commerce Board meeting.
- Will be attending the Urban Development Institute (UDI) luncheon event and looks forward to the Mayor's presentation.

Councillor Wooldridge:

- Spoke to their attendance at the Junior Chamber International (JCI) Kelowna that hosted a Mayor's luncheon.

Councillor Cannan:

- Spoke to their attendance at the Royal Canadian Legion Poppy campaign and encouraged citizens to volunteer.

- Spoke to their attendance at the Economic Development Commission presentation from School District No. 23.
- Will be attending the School District No. 23 Community meeting with partners to get an update on the Youth Outreach Program.
- Commented on the Federal Government's Housing Accelerator Fund announcement.

Mayor Dyas

- Commented that a plan is coming forward to Council for use of the Housing Accelerator Fund.

Councillor DeHart:

- Commented that the Royal Canadian Legion is in need of volunteers for the poppy campaign and encouraged citizens to help.

Councillor Webber:

- Spoke to their attendance at a YMCA event and thanked those who donate to the YMCA.

Mayor Dyas:

- Commented on the International Curling Tournament currently being held at the Kelowna Curling Club.

9. Termination

This meeting was declared terminated at 2:46 p.m.

Mayor Dyas

lb/acm

CB

Deputy City Clerk

Report to Council



Date: November 6, 2023
To: Council
From: City Manager
Subject: RCMP Report – January 1 to August 31, 2023
Department: RCMP Officer In Charge

Recommendation:

THAT Council receive the RCMP report for January 1, 2023 to August 31, 2023, from the Superintendent, Kelowna RCMP Detachment, dated November 6, 2023.

Purpose:

To present Council with an update for January 1 to August 31, 2023 public safety and crime data.

Background:

The RCMP acknowledges receipt of Council’s updated priorities in Q1 of 2023 and will present a refreshed Strategic Plan in the coming weeks. This updated Strategic Plan will include three new objectives that directly align with Council’s priorities and feedback received through community consultation:

- 1. Be present in neighbourhoods and districts to deter crime and improve road safety;
- 2. Target recurring property theft; and
- 3. Promote the right providers for mental health and addictions care and housing needs.

Trends & Themes

Provided are general crime data trends and themes observed within the city from January 1, 2023 to August 31, 2023.

Calls for Service

Kelowna RCMP experienced a 7.5 % decrease overall in calls for service compared to 2022, led by a notable 22.3 % drop in the Downtown core. This is attributed, in part, to enhanced police visibility and targeted “hot spot” enforcement in that area. Conversely, a 27.4 % increase in calls for service in Rutland has been noted. In response, police resources were recently shifted to increase visibility and responsiveness in Rutland, in conjunction with the dedicated Rutland RCMP Sub Detachment. Our analytical team has evaluated calls for service to identify strategic opportunities to improve deployment approaches in this area, including the identification of hot spots, peak times, repeat offender

managements. Our police officers, alongside the City's Community Safety Department inclusive of Bylaw Services, are working diligently to address the concerns of residents and businesses, alike.

Break & Enter (Business).

Overall, Break and Enters (B&E) are down across British Columbia approximately 8%. In Kelowna, the number of Business B&Es decreased substantially by 43.9% compared to 2022 while residential B&Es decreased by 10.7%. These reductions can be partially attributed to data and intelligence-led strategies implemented by Kelowna RCMP including a relentless focus on repeat property offenders. Of note, B&Es were the highest driver of our 2022 Crime Severity Index (CSI) score, both in the City of Kelowna and in the Census Metropolitan Area. Despite the noteworthy decreases in B&Es, analysis indicates that this crime continues to drive Kelowna's 2023 CSI. Through continuously improving crime data analytics, we are deploying finite resources more strategically at the times / locations when crimes are occurring, targeting known repeat offenders, and able to equip business and residents through media releases about emergent trends. In partnership with the City's Community Safety Department, crime prevention [toolkits](#) were released providing practical steps for businesses and residents to assist in our collective effort to reduce property crime in our community.

Fraud

Frauds are reported to have increased across British Columbia by nearly 11%. In Kelowna, Frauds are also a key CSI driver with a concerning 56.7% increase during the reporting period here. These Frauds comprise Online and Phone Frauds, Banking Fraud and Forgeries, and Real Estate Fraud. This specific category does not include Identity Fraud. In many cases, these files originate in other jurisdictions, including international, which increases the complexities in investigating this crime type. Police strategies targeting Fraud are primarily limited to prevention through public awareness and education with the goal of reducing financial loss. With improving public awareness about these increasingly common and sophisticated crimes, more victims are likely to report incidents, which will continue to drive this metric statistically.

Persons Offences

Kelowna experienced an overall 5.7 % increase of Persons Offences compared to same period in 2022, which is consistent with the 5.1 % increase observed across the province. While Kelowna observed a significant reduction in Robberies by 40.7 %, this improvement was offset by increases in other persons crimes which are being closely monitored and analyzed. Opportunities for RCMP to proactively engage in education and prevention initiatives are being explored as well as continued disruption and enforcement actions.

Traffic

In line with the key objectives noted in our last Report to Council, the RCMP Traffic Section has observed a reduction in collisions causing injury and death by 5.2 % compared to the same period last year. In addition, 87.8 % more traffic violation tickets were issued. This notable increase compares to a period in 2022 when traffic enforcement declined due to staffing challenges and reflects our ability to fully resume and prioritize our Traffic Section throughout the busy summer season. The Kelowna Traffic Section continues to use data to inform traffic safety by strategically engaging in education and enforcement activities, especially in high collision locations.

Repeat Offending

As reported consistently over the last 18 months, repeat property offenders have a persistent and significant impact on our businesses and residents, as well as the Kelowna CSI. Kelowna RCMP is an active participant and, in fact, a leader in the Provincial Repeat Violent Offending Intervention Initiative (ReVOII) launched earlier this year, with 22 of the 40 available prioritized positions occupied by Kelowna violent offenders. The ReVOII Program, however, does not include repeat *property* offending, and so Kelowna RCMP initiated and launched its own Repeat (Property) Offender Management Program in spring 2023. Both initiatives are believed to have been instrumental in Kelowna's success in driving down its property offence statistics by 17 % during this reporting period.

Police Capacity & Response	31-Aug-22	31-Aug-23	% Change
Total Calls for Service	41,752	38,607	-7.5%
Total Calls for Service from Downtown area	7,061	5,487	-22.3%
Total Calls for Service from Rutland area ⁱ	2,337	2,977	27.4%
Calls for Service, Priority 1 & 2 ⁱⁱ	14,250	13,285	-6.8%
Response Time for Priority 1 Calls (in minutes)	8.1	8.2	1.2%
Response Time for Priority 2 Calls (in minutes)	10.2	10.2	0.0%
% of Calls for Service receiving Callback ⁱⁱⁱ	37.80%	67.40%	78.3%
Officer Hours assigned to public spaces: Downtown, Rutland & parks	10,586	11,684	10.4%
Caseload ^{iv}	60.69	52.91	-12.8%
Property Offences	6079	5194	-17.0%
Auto Theft (2135-1 2 3 4 6 7 8 9)	395	234	-40.8%
Theft from Motor Vehicle (2132 2142 -0)	1492	1035	-30.6%
Break & Enter – Business	597	335	-43.9%
Shoplifting	1199	1213	1.2%
Break & Enter – Residential	187	167	-10.7%
Bike Theft	434	266	-38.7%
Fraud	427	669	56.7%
Mischief	1243	1187	-4.5%
Arson	105	88	-16.2%
% of Thefts which reported Forced Entry ^v	42.00%	38.40%	-8.6%
Persons recommended for Charges ^{vi}	235	201	-14.5%

Persons Offences	1806	1908	5.7%
Assault (Common)	785	829	5.6%
Intimate Partner Violence	498	543	9.0%
Sex Offences ^{vii}	125	150	20.0%
Theft with Violence (includes Robbery)	81	48	-40.7%
Assault Cause Bodily Harm/ Assault with Weapon	317	338	6.6%
Illegal Drugs			
Illegal Drug Trafficking	44	40	-9.1%
Traffic Safety			
Traffic Violation Tickets	1092	2051	87.8%
Collisions – Combined	1216	1219	0.3%
Relevant Social Indicators (reflecting policing complexity in Kelowna)			
Calls for Service with Mental Health Component	2001	2050	2.5%
Calls for service, MHA Apprehensions	420	493	17.4%
Calls for service, Overdose ^{viii}	94	60	-36.2%

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. Kelowna RCMP empowers its policing professionals to advance prevention and response and promote the right providers for mental health, addictions care and housing. The Kelowna RCMP Officer in Charge (OIC) continues to affect transformative change to drive results through teamwork and initiative, 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 be present in neighbourhoods and districts to deter crime, improve road safety, and target recurring property theft.

Internal Circulation:

Community Safety Department
Communications Department

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Consultation and Engagement:

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

M. Douglas, Community Safety Services A/ Manager

ⁱ The Rutland atom was created and applied beginning in April 2022. This number reflects April 1 to Aug 31st for both years.

ⁱⁱ 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.

ⁱⁱⁱ 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.

^{iv} 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 dates January 1, 2023 to August 31, 2023.

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

^{vi} 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).

^{vii} 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.

^{viii} 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.

Report to Council

January 1 - August 31, 2023

Supt. Kara Triance, Officer in Charge, Kelowna Detachment

November 6, 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.

2024-2026 Objectives

Be PRESENT
in neighbourhoods and districts to
deter crime & improve road safety

TARGET recurring
property theft



PROMOTE the right
providers for mental
health, addictions
care and housing
needs



EMPOWER policing
professionals to
advance prevention
and response



DRIVE RESULTS
through teamwork
and initiative

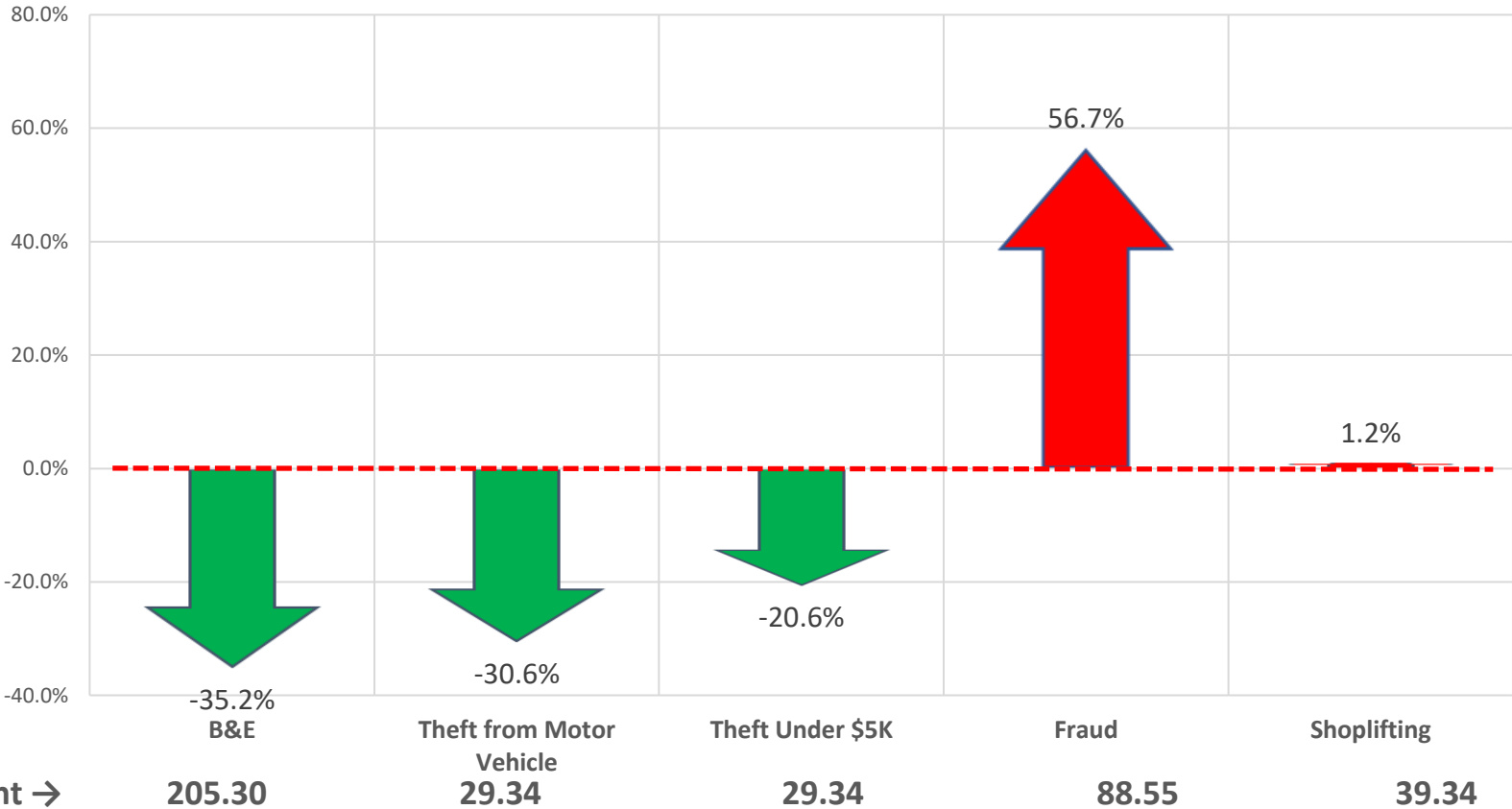


Decrease
the risk of
property
crime

Top 5 Non-Violent Drivers

(Jan 1- Aug 31, 2023)

Year to Date Change



Fraud increased 56.7%

Break and Enter decreased 35.2%

Theft from Auto decreased 30.6%

Crime Severity Index Weight →

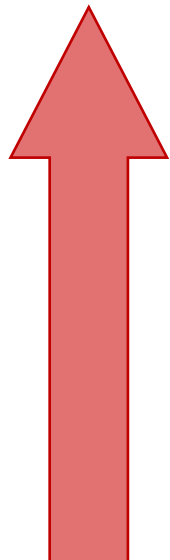




Decrease
the risk of
property
crime

Fraud in Kelowna - Top 3 Drivers

56%



- Tap Fraud



- Communication Scams



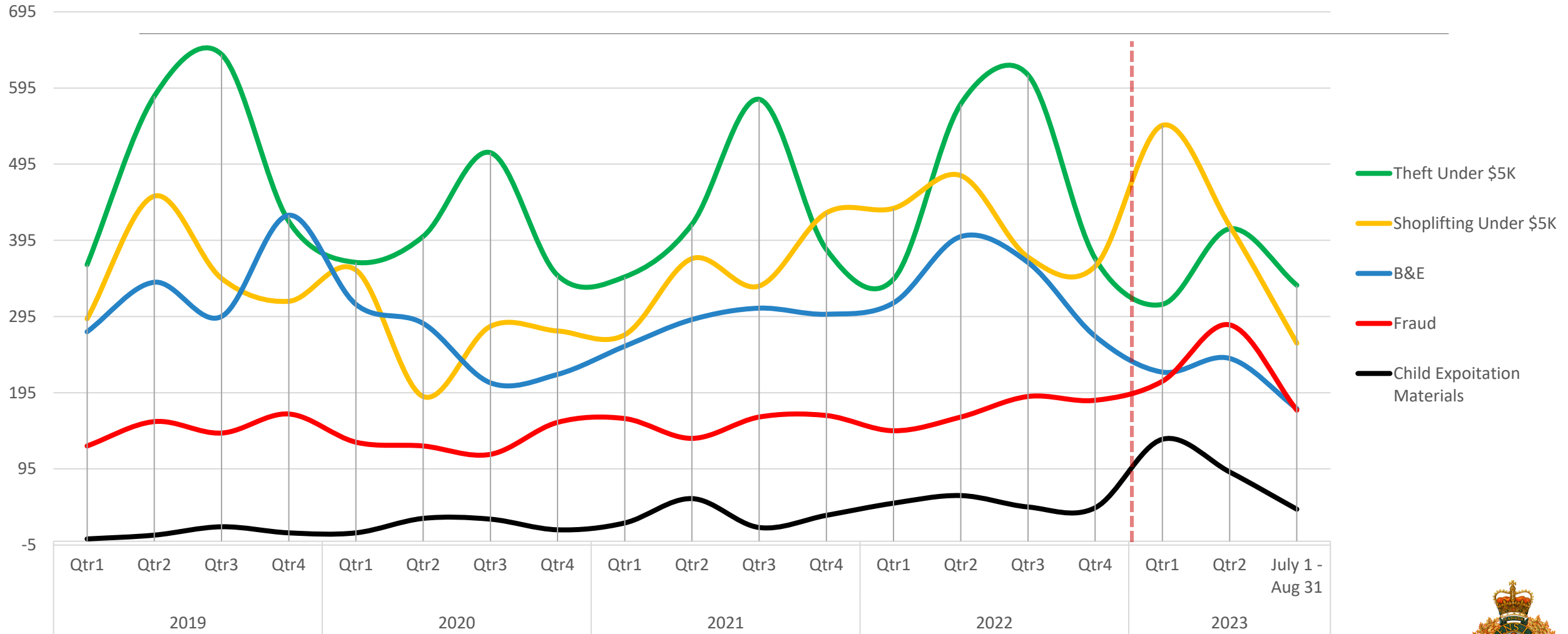
- Online Scams





Decrease
the risk of
property
crime

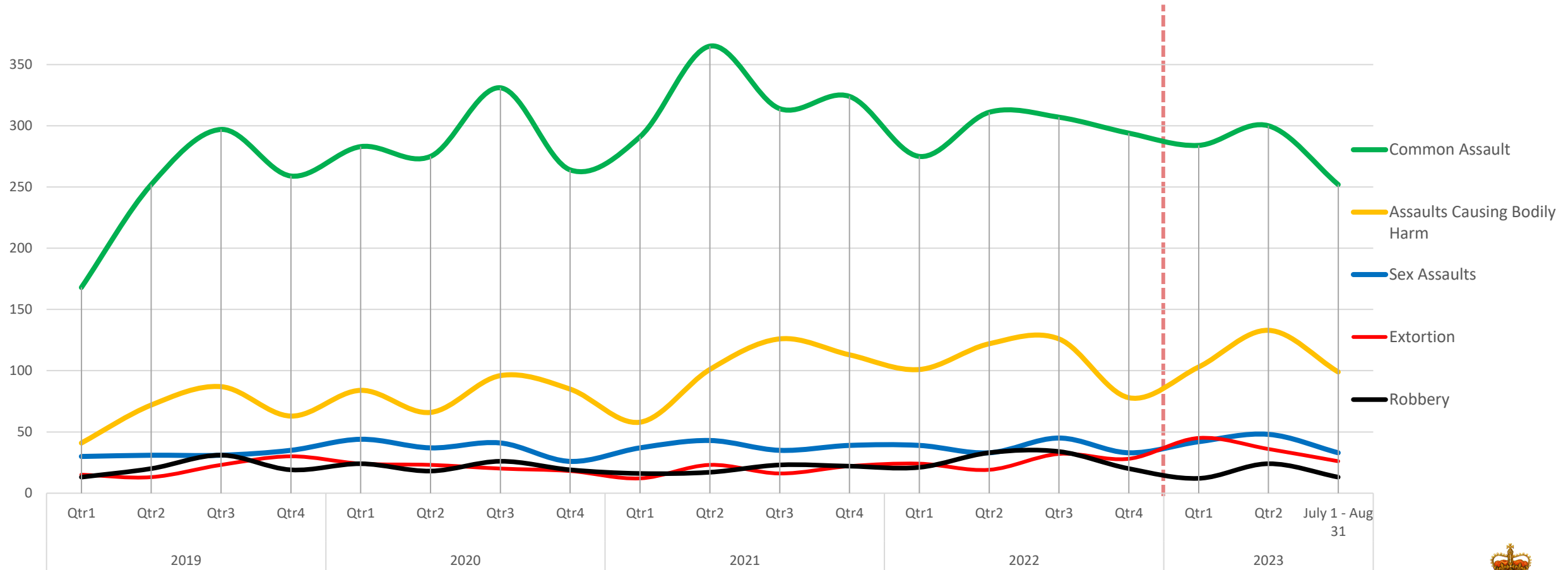
Non-Violent Trends





Decrease
the risk of
property
crime

Violent Trends

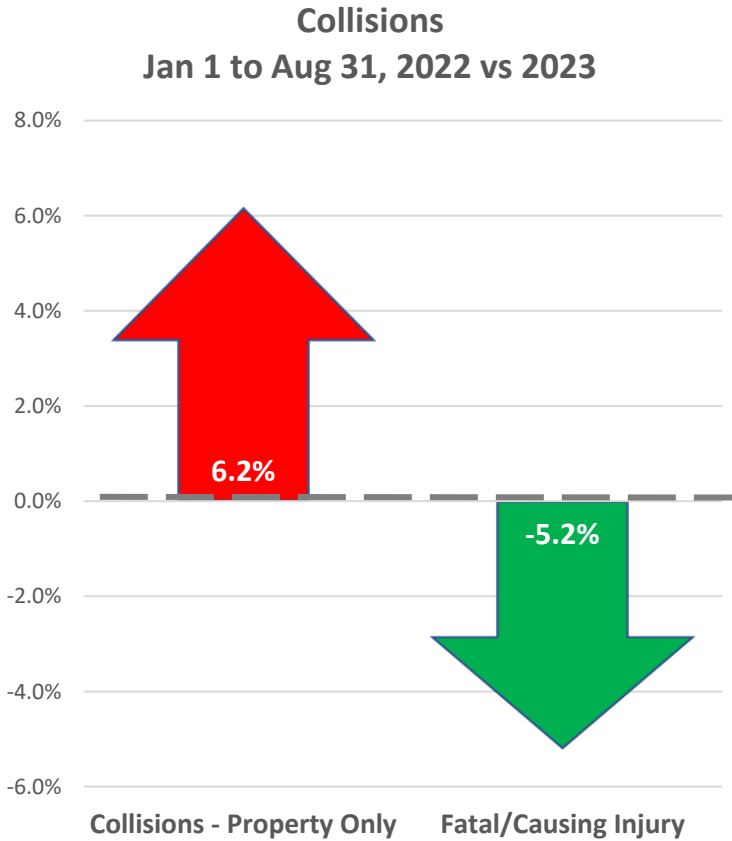




Increase the sense of safety in public spaces in Downtown & Rutland

Traffic Enforcement

Statistics

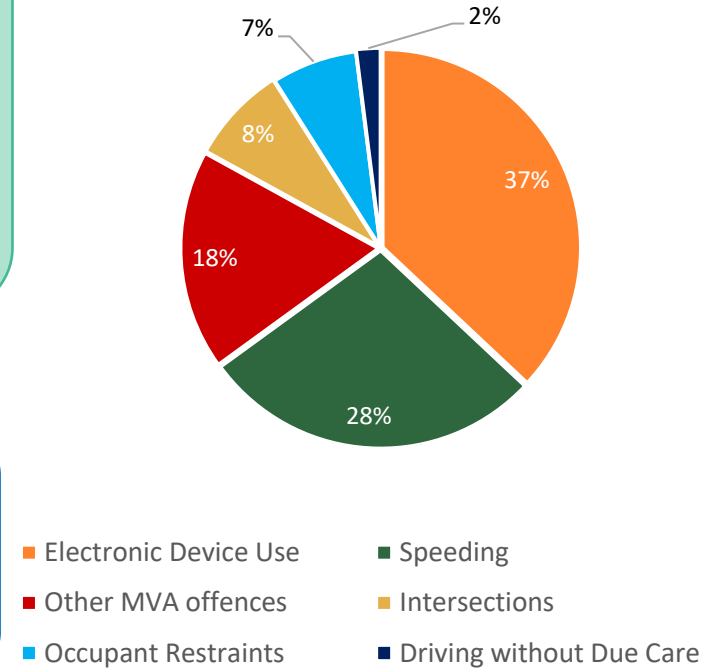


- Statistically, distracted driving is as dangerous as impaired driving
- Collisions are down 14% compared to 2022
- Since January 2023:
 - 132 Excessive Speed tickets have been issued
 - 492 vehicles have been impounded
 - 87.8% increase in violation tickets

Objectives

- Reduce serious injury/fatal motor vehicle collisions
- Focus on speed, distracted driving, impaired driving and intersection enforcement

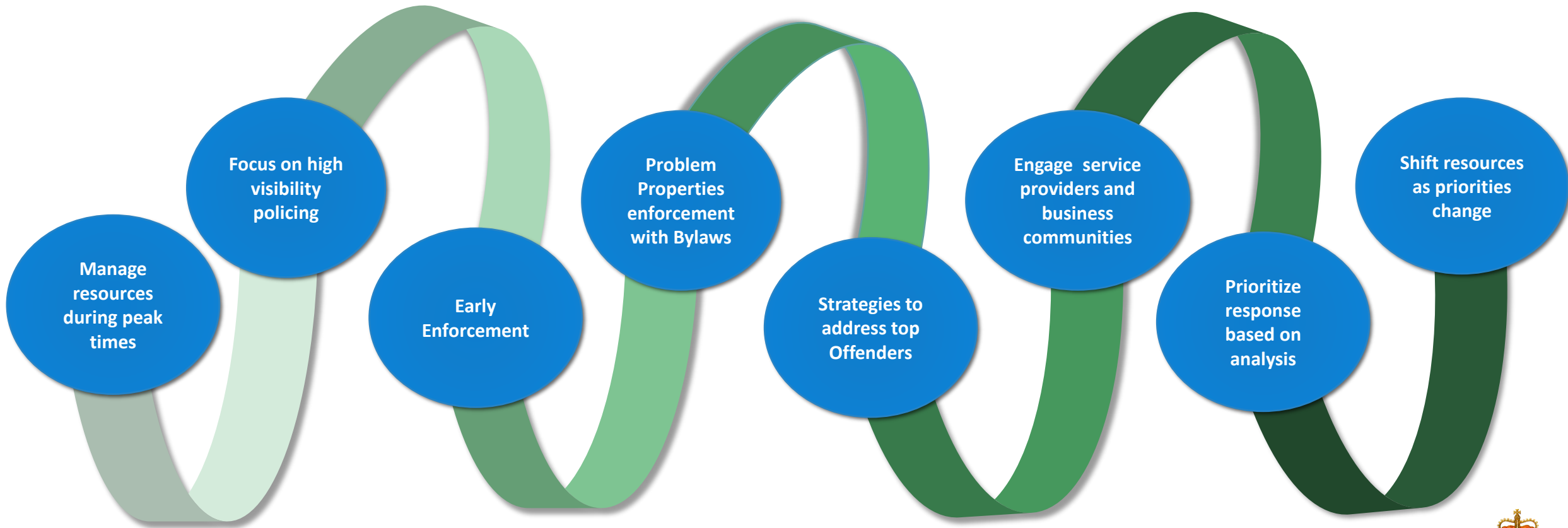
Jan 1 - Aug 31, 2023
Violation Ticket Breakdown





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

Priority Areas Downtown & Rutland





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

Airsoft vs Real



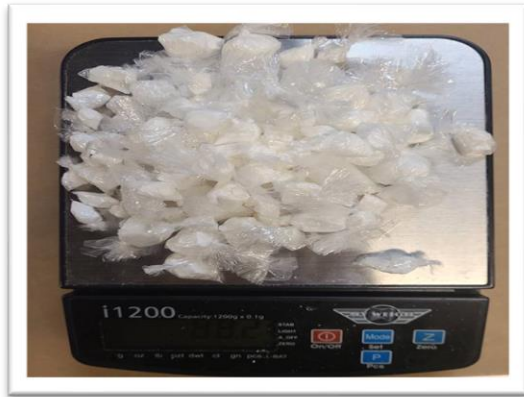


Earn the trust of
citizens who have
experienced
persons crime

Community Engagement



Recent Drug Seizures





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 Wildfire Response

Crime Trends during the wildfire

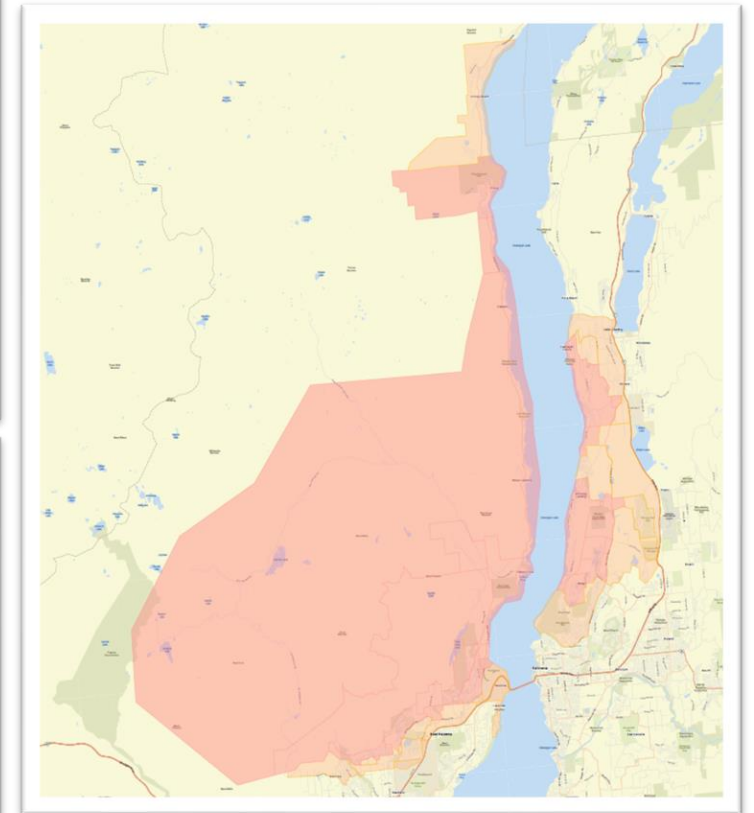
Fire spanned 4 municipalities

Visits from Prime Minister, Premier and BC RCMP Commanding Officer

10,000 properties Evacuated

Safety and Security

250 Police Officers Deployed





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

Summer Review



Seasonal Policing Strategy

Special Events Collaboration

Enhanced Marine Response

Provincial Enforcement Strategy

Major Events / Investigations



Questions?



REPORT TO COUNCIL

ALR APPLICATION



Date: November 6th, 2023
To: Council
From: City Manager
Address: 127 Valley Rd
File No.: A23-0009
Zone: A1 – Agriculture

1.0 Recommendation

THAT Agricultural Land Reserve Application No. A23-0009 for Lot 6 Block 17 Section 4 Township 23 ODYD Plan 1068, located at 127 Valley Road, Kelowna, BC for a subdivision of agricultural land in the Agricultural Land Reserve pursuant to Section 21 (2) of the *Agricultural Land Commission Act*, be supported by Council; AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

2.0 Purpose

To support an application to the Agricultural Land Commission for a subdivision for the purpose of a homesite severance.

3.0 Development Planning

Staff support the proposed subdivision application for a homesite severance as it complies with the City's Official Community Plan (OCP) Policy for subdivision of agricultural land. The OCP Policy supports homesite severances that are approved by the Agricultural Land Commission (ALC). The ALC outlines the provisions for a homesite severance in ALC Policy L-11: Homesite Severance on ALR Lands and staff consider the proposal to meet the intent of the ALC's policy.

The primary land use criteria of the ALC's policy are that:

1. the owner has continuously owned and occupied the property since December 21, 1972;
2. the remainder parcel will constitute a suitable agricultural parcel;
3. the applicant has not previously subdivided the property; and
4. the existing homesite may be created as a separate parcel where it is of a minimum size compatible with the character of the property and has reasonable access.

While the Title of the subject property was not transferred to the current owner until April 10, 1980, the owner first had an Offer to Purchase on April 19, 1967, and has actively farmed and resided on the property since 1967. Staff believe this meets the intent of the ALC's requirement for a homesite severance.

While the proposed homesite severance does not include the original residence of the owner, the configuration minimizes the site of the homesite lot and maximize the size of the remainder lot which contains an active apple orchard. The proposed lot would not impact the active agriculture and would allow it to continue to function as an agricultural unit. The parcel has not previously been subdivided by the current owner.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property has the Future Land Use Designation of R-AGR – Rural – Agricultural and Resource and is zoned A1 – Agriculture and is in the Agricultural Land Reserve (ALR). The surrounding area is a mix of agriculture and single-detached dwellings. Dr Knox Middle School is also located across the street from the subject property.

5.0 Zoning Bylaw Regulations Summary

The applicant seeks a two-lot subdivision for the purpose of a homesite severance. The proposal is to subdivide the subject property, which is a total of 5.75 ha (14.2 acres) in size, to create a new homesite at the southwest corner of the property abutting Valley Road. The applicant is seeking a 0.45 ha (1.1 acre) subdivision for the homesite, while the remaining parcel would be 5.28 ha (13.05 acres) in size.

There are currently three dwellings on the subject property. The first dwelling and a detached garage are located at the centre of the property. The second dwelling is at the northwest corner of the property, and the final dwelling, home based business (salon) and two sheds are the located at the southwest corner of the property. The proposed subdivision would subdivide the southwest residence from the rest of the property. The remainder lot is proposed to be purchased by the lessee and remain as an apple orchard. If the application is successful, no additional residences would be permitted on either lot.

A reciprocal access agreement would be required between the proposed lot and the neighbouring property to the South (143-147 Valley Road). This is required because they currently share an access onto Valley Road, and additional accesses are discouraged on Minor Arterial roads. The reciprocal access would also help protect Brandt Creek as it would remove the need to add additional fill.

6.0 Current Development Policies

Objective 8.1. Protect and preserve agricultural land and its capability	
Policy 8.1.7. Subdivision of Agricultural Land.	Maximize the potential for agricultural land to be used for agriculture by not allowing it to be subdivided into smaller parcels, except where significant positive benefits to agriculture can be demonstrated or in the case of homesite severances approved by the ALC.
	<i>The proposed application generally complies with the ALC policies for homesite severances.</i>

7.0 Application Chronology

Application Accepted: August 9th, 2023.

Report prepared by: Tyler Caswell, Planner II
Reviewed by: Lydia Korolchuk, Acting Urban Planning Supervisor
Reviewed by: Dean Strachan, Community Planning & Development 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

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 68971

Application Status: Under LG Review

Applicant: Edmund Bonn

Agent: Lorraine Susan Bonn

Local Government: City of Kelowna

Local Government Date of Receipt: 08/01/2023

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

Proposal Type: Subdivision

Proposal: ALC Home site severance - to create a site for the home site, minimum in size to accommodate the residence and outbuildings, in compliance with the City of Kelowna setback requirements and regulations of the ALC

Agent Information

Agent : Lorraine Susan Bonn

Mailing Address :

#3 - 127 Valley Road

Kelowna, BC

V1V 2E7

Canada

Primary Phone : (250) 878-5563

Mobile Phone : (250) 762-4316

Email : hairraizers@shaw.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

Parcel Identifier : 011-844-558

Legal Description : LOT 6 BLOCK 17 SECTION 4 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN 1068

Parcel Area : 5.7 ha

Civic Address : 127 Valley Road

Date of Purchase : 05/01/1967

Farm Classification : Yes

Owners

1. **Name :** Edmund Bonn

Address :

Phone :
Email :

Ownership or Interest in Other Lands Within This Community

- Ownership Type :** Fee Simple
Parcel Identifier : 011-844-574
Owner with Parcel Interest : Edmund Bonn
Parcel Area : 3.4 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).**
With exception of areas for buildings (approximately) 2 acres, and excluding the slough along the west of the property along Valley Road, (approximately .75 acres), the balance of the property, is planted with high density apple fruit trees
- 2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**
*The apple orchard is irrigated by automated irrigation system
Mid point of the property, there is a drainage channel running north/south*
- 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**
*House and detached garage
Small detached residence at the north west corner of the property
Newer single family residence and business (salon) and outbuildings (sheds) located in the south west corner of the property (the subject lands of this application)*

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity : residential and agricultural

East

Land Use Type: Agricultural/Farm
Specify Activity : agriculture

South

Land Use Type: Agricultural/Farm

Specify Activity : residential and agriculture

West

Land Use Type: Civic/Institutional

Specify Activity : residential and public use Dr Knox Middle School

Proposal

1. Enter the total number of lots proposed for your property.

0.36 ha

5.34 ha

2. What is the purpose of the proposal?

ALC Home site severance - to create a site for the home site, minimum in size to accommodate the residence and outbuildings, in compliance with the City of Kelowna setback requirements and regulations of the ALC

3. Why do you believe this parcel is suitable for subdivision?

The existing house and outbuildings were built in 1998 and 2008 and are not suitable for housing farm workers. The proposed purchaser is desirous of purchasing the orchard property, with the exception of the proposed home site, and would prefer this proposed site be severed from the property.

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

The balance, majority of the lands is currently operated as an apple orchard, and the proposed purchaser, the current lessee, intends to continue operation of the lands as such. Any viable areas of the lands which are not currently planted with fruit trees, when purchased, will be planted to increase income from the lands

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

Yes

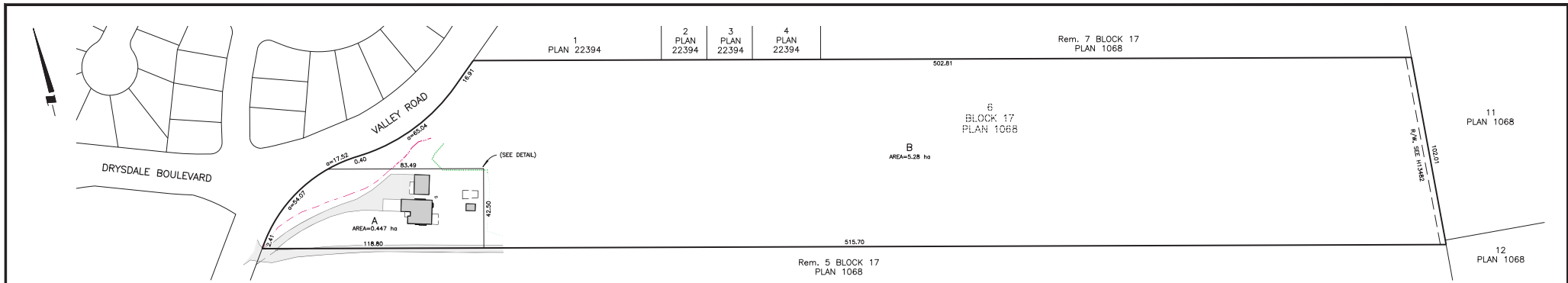
Applicant Attachments

- Agent Agreement - Lorraine Susan Bonn
- Proposal Sketch - 68971
- Other correspondence or file information - Bonn Home Site Option 2
- Homesite Severance Qualification - 68971
- Site Photo - Photograph of Area
- Other correspondence or file information - Contract to Purchase
- Certificate of Title - 011-844-558

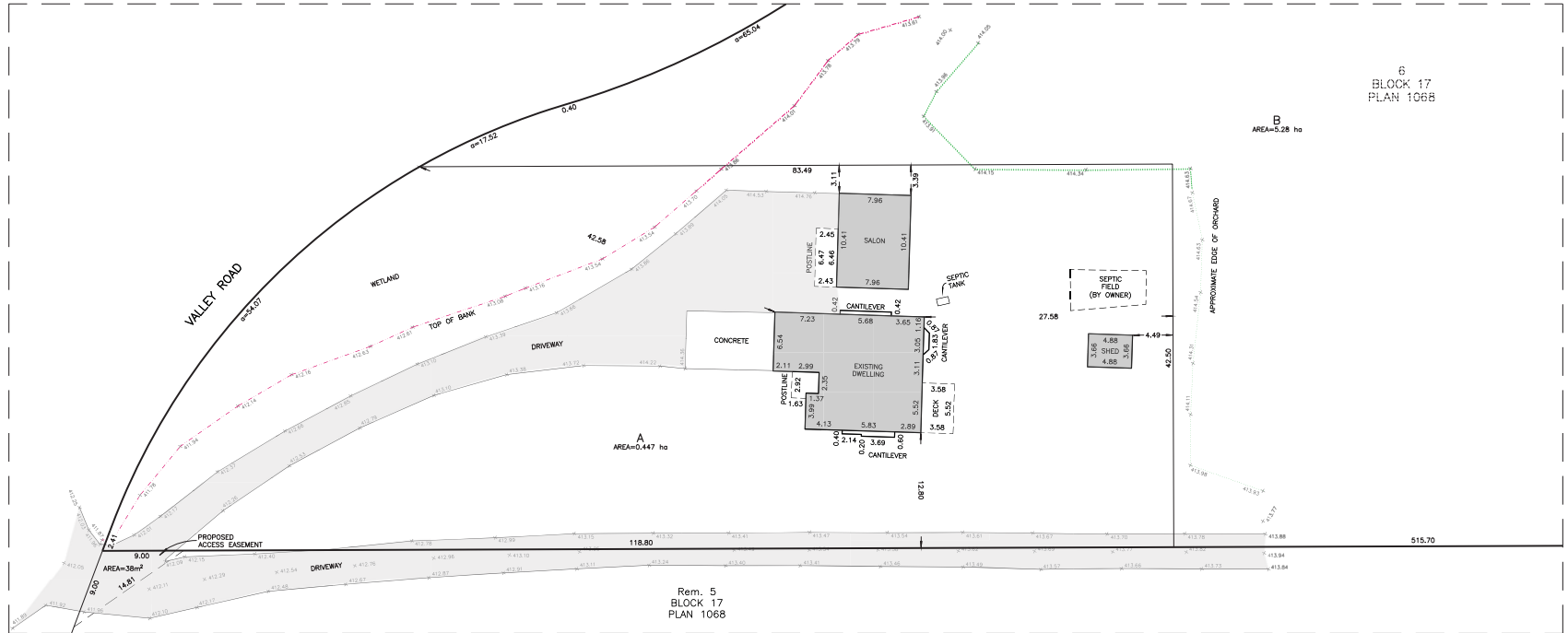
ALC Attachments

None.

Decisions



DETAIL (SCALE 1:250)



ATTACHMENT B
 This forms part of application # A23-0009
 City of Kelowna
 DEVELOPMENT PLANNING
 Planner Initials TC

 B.C. LAND SURVEYORS CANADA LANDS SURVEYORS - Subdivision Design Surveys Legal, Topographic & GPS Surveys 404-1830 Pandosy St., Kelowna, B.C. V1Y 1P7 Telephone (250)763-3115 Fax (250)763-0361	LEGAL DESCRIPTION	CLIENT	LEGEND	NOTES	JOB NO.: 23432
	DRAWING TYPE	CIVIC ADDRESS	x SPOT HEIGHT - - - TOP OF BANK - - - - - APPROXIMATE EDGE OF FARM	THIS LOT IS SUBJECT TO FOLLOWING NON-FINANCIAL CHARGES: RIGHT OF WAY (H13482), STATUTORY RIGHT OF WAY (H16924), STATUTORY RIGHT OF WAY (L8139155). THIS PLAN SHOWS REGISTERED CHARGES ON TITLE THAT ARE DEFINED BY SURVEY PLAN OR DESCRIPTION. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED. ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM RTK GNSS OBSERVATIONS, REFERENCED TO CGD2011. LOT DIMENSIONS ARE DERIVED FROM LAND TITLE RECORDS. PROPERTY LINES ARE APPROXIMATE AND ARE SUBJECT TO A FULL LEGAL SURVEY. THIS PLAN IS FOR THE SOLE USE OF THE CLIENT FOR DESIGN PURPOSES ONLY AND IS NOT TO BE USED FOR RE-ESTABLISHMENTS OF PROPERTY LINES.	SURVEY DATE: SEPTEMBER 21, 2023 SCALE: 1:1000 METRES DRAWN BY: PG / CHECKED BY: CH FIELD CREW: JF/SM SUBMITTED (AUG 10, 2025) FOR FILE# 23403/23432/23432-010 23432-010 23432-010
	LOT 6 BLOCK 17 SECTION 4 TOWNSHIP 23 ODYD PLAN 1068	SUSAN BONN			
	PROPOSED SUBDIVISION PLAN	127 VALLEY ROAD, KELOWNA	REVISION NO. DESCRIPTION BY DATE		
			0 PLAN ISSUED PG OCTOBER 13, 2023		

**Submission to the City of Kelowna
in support of Application for Home Site Severance**



Subject Property:

Folio: 03267.000
Civic Address: 127 Valley Road, Kelowna, British Columbia
PID: 011-844-558
Legal Description: Lot 6, Block 17, Section 4, Township 23,
Osoyoos Division Yale District, Plan 1068
(hereinafter Lot 6)
Area of Property: 5.7 hectares
Existing Zone Category: A-1 Agriculture

As registered owner of Lot 6, since May 1, 1967, I am seeking permission to subdivide Lot 6 into two lots, under section 21(2) of the Agricultural Land Commission Act, to facilitate the creation of a home site severance. The remainder of Lot 6, after severance of the home site, will be a viable agricultural parcel and will not in any way reduce the current productive agriculture on the lands.

The existing buildings located on Lot 6 are:

- a. Small residential residence, relocated from the north end on Gordon Drive, Kelowna, B.C. to Lot 6 in about 1969;
- b. Two bay garage / tractor shed;
- c. Single family residence located approximately mid point of Lot 6 along the northerly boundary; and
- d. Single family residence and detached accessory building, used as a hair salon, located in the southwest corner of Lot 6 (the subject area for the home site severance).

I note as well that at the west part of Lot 6, along Valley Road, there is a creek and the area immediately adjacent to the creek cannot be utilized for orchard or any other purpose. This area, creek and marsh, approximately .23 hectares is inhabited by mostly wild birds, along with other small creature wildlife.

On April 19, 1967 an offer was made by myself and my wife, Helen, to John Francis Douglas and Helen Douglas to purchase Lot 6, together with Lot 7, Block 17, Section 4, Township 23, Osoyoos Division Yale District, Plan 1068, one of the terms being that the existing Farm Credit Corporation Mortgage 115231E be assumed, and the Douglas interest in the Right to Purchase, registered with Kamloops Land Title Office on March 31, 1965 under filing number 115966E (referred to inadvertently in the offer as the second Mortgage) in favour of Sam Pearson (Samuel Pearson and Margaret Helen Pearson). Attached is a copy of the Offer to Purchase dated April 19, 1967.

By virtue of Transfer of an Estate in Fee-Simple dated April 10, 1980, accepted for registration by the Kamloops Land Title Office on April 11, 1980, assigned filing number R18419F, Samuel Pearson and Margaret Helen Pearson transferred the fee simple interest in Lot 6 and Lot 7 to myself, Edmund Bonn and my wife, Helen Bonn, as joint tenants.

Notwithstanding that the sale/purchase from Douglas to Bonn, closed on May 1, 1967 as contemplated by the Offer to Purchase, and that title was not transferred by Pearson to Bonn until April 11, 1980, myself, my wife, with our children had possession of Lots 6 and 7, lived on Lot 6, we operated the apple and cherry orchard as our family business. Periodic seasonal payments were made to Pearson to satisfy the indebtedness secured by Right to Purchase 115966E, and it was not until 1980 that the debt had been repaid, when title was then transferred to myself and my wife, as joint tenants. Attached is a copy of the registered transfer document together with April 22, 1980 letter from BM Baker, Notary Public confirming the transfer of title.

In or about 1984 the orchard portion of Lot 6 was leased out to various individuals from season to season, then having been leased to S. Sundher Orchards Ltd. (Dave Sundher) for the past some 22 years.

The winter of approximately 1992 (I am not certain of the year) froze out a large number of fruit trees in the west half of Lot 6, and we removed the trees and seeded that land area (approximately 1.2

hectares) in hay. The balance of Lot 6 to the east was then leased out and continued to be operated as an apple orchard. Until the freeze in 1992, the whole of Lot 6, with the exception of living structures, was operated as apple orchard.

In late summer 1998 a building permit was obtained from the City of Kelowna and in September, 1998 construction of the residence in the south west corner of Lot 6, accessed via Valley Road, commenced.

In about 2000 the whole of Lot 7 and lands on Lot 6, east of the family residence, were leased to S. Sundher Orchards Ltd. (Dave Sundher) for two years. The hay field was excluded from the lands leased, and maintained by my family until that time.

In 2002 the most easterly 1.2 hectares was planted by our family with high density apple fruit trees, and drip irrigation installed.

In 2005 we entered into a Lease agreement with S. Sundher Orchards Ltd. (Dave Sundher) for the whole of Lot 6 and Lot 7, with the exception of areas forming part of the residences and yards. Mr. Sundher removed what was left of the old fruit trees, including area in the west which had been hay field, and replanted high density trees, and installed an irrigation system. Mr. Sundher's lease expires on December 31, 2024.

My wife, Helen Bonn, passed away in June 5, 2006 and her interest in the properties were transferred to me as surviving joint tenant. I remain the registered owner of Lots 6 and 7.

In 2007 a building permit was obtained from the City of Kelowna and an accessory building to the north of the proposed home site residence in the south west corner of Lot 6 was constructed, which was and is being used to date as a hair salon, operated by a family member.

The residence constructed in 1998, the salon building and outbuildings immediately adjacent to the residence are the subject of my request for a home site severance.

If the home site severance were approved the remainder of Lot 6 would be viable for agricultural purposes, and not have a negative impact on the adjacent parcels (properties to the east of Valley Road I note at this time are also leased by Mr. Sundher).

The use of properties adjacent to Lot 6 are:

To the north – agricultural

To the south – agricultural

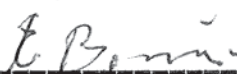
To the east – agricultural

To the west – residential, and public use (Dr. Knox Middle School)

There are no specific area measurements for the home site parcel at this time. Ultimately we, and Mr. Sundher the prospective purchaser, are desirous of limiting the lot area of the home site to a minimum, and to comply with City of Kelowna setback requirements. The intention is to keep as much land in the remainder of Lot 6 to enable the maximum area to be utilized as orchard.

Thank you in advance for your consideration to my application for home site severance.

If you require any further information or wish to discuss this matter please telephone my daughter, Ruby Costigan at (250) 860-5589. I am hard of hearing at my 93 years of age, and furthermore she has been assisting me and is hands on with my financial and personal matters since my wife passed away in 2006.



Edmund Bonn

August ____, 2023

ATTACHMENT	C
This forms part of application	
# A23-0009	
Planner Initials	TC
 City of Kelowna DEVELOPMENT PLANNING	



City of
Kelowna

A23-0009 127 Valley Road

ALR Application – Homesite Severance

Purpose

- ▶ To support an application to the Agricultural Land Commission (ALC) for a subdivision for the purpose of a homesite severance.

Development Process



Aug 9, 2023

Development Application Submitted



Staff Review & Circulation



Nov 6, 2023



Council Consideration

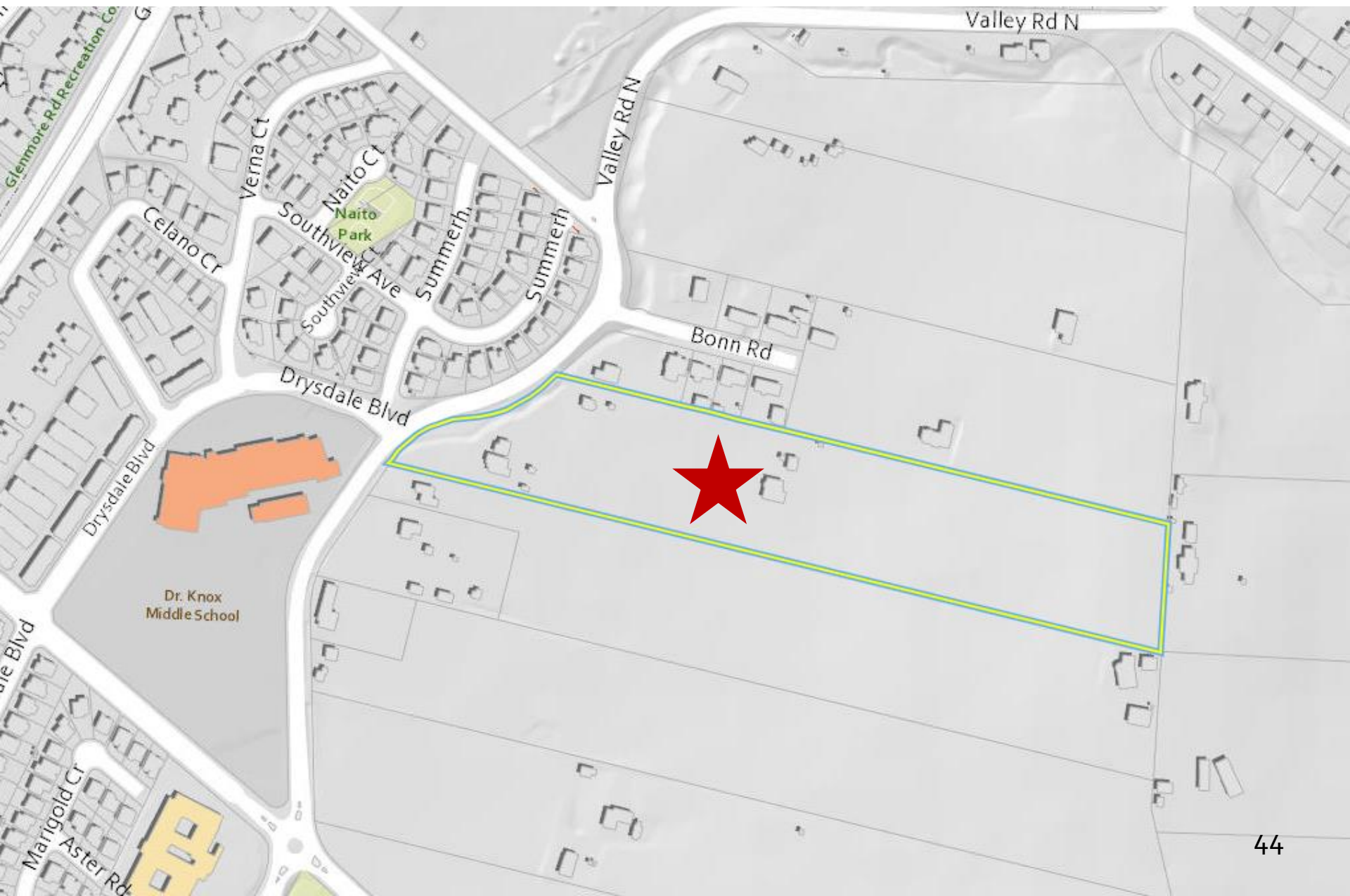


Council Approvals



ALC Consideration

Context Map



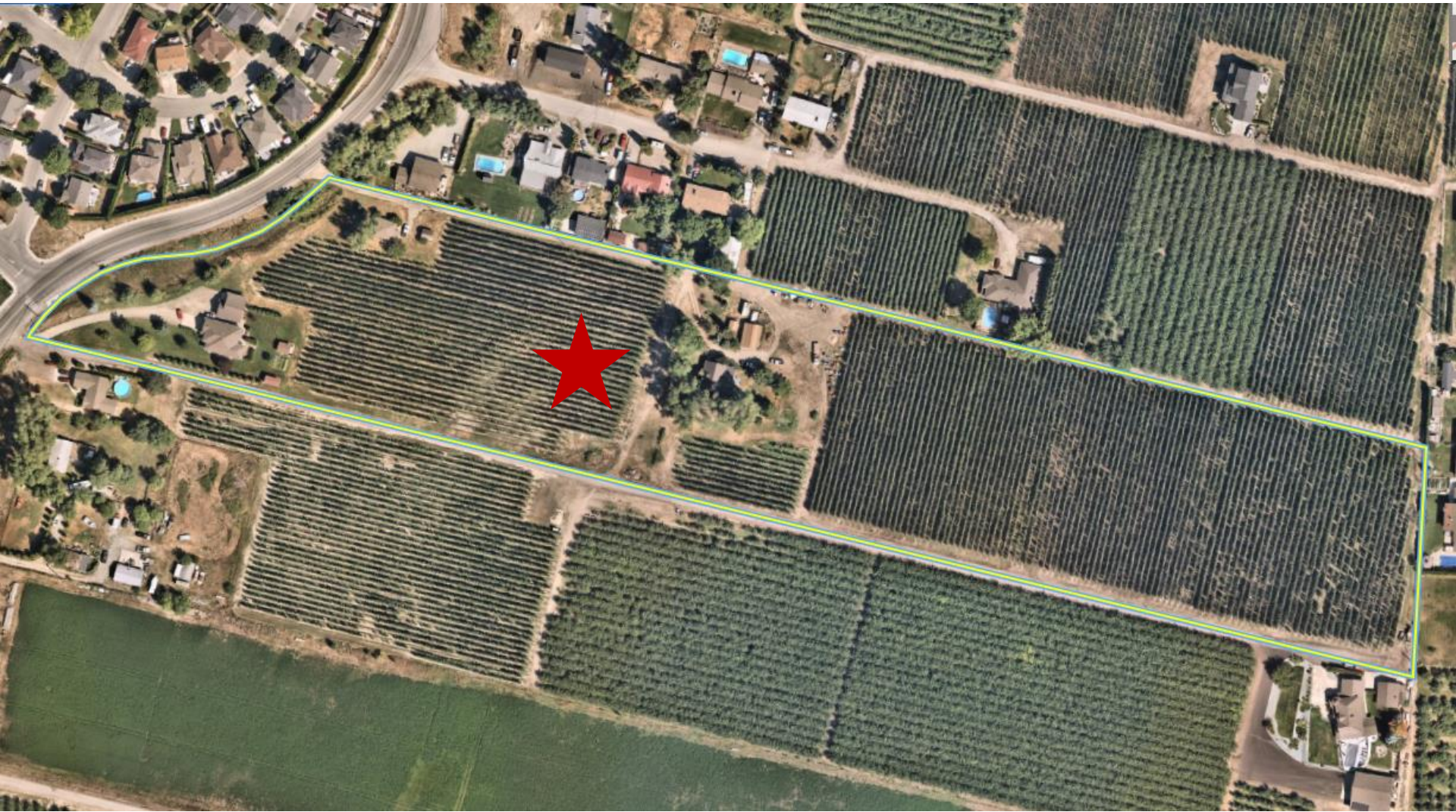
OCP Future Land Use / Zoning



Agricultural Land Reserve



Subject Property Map



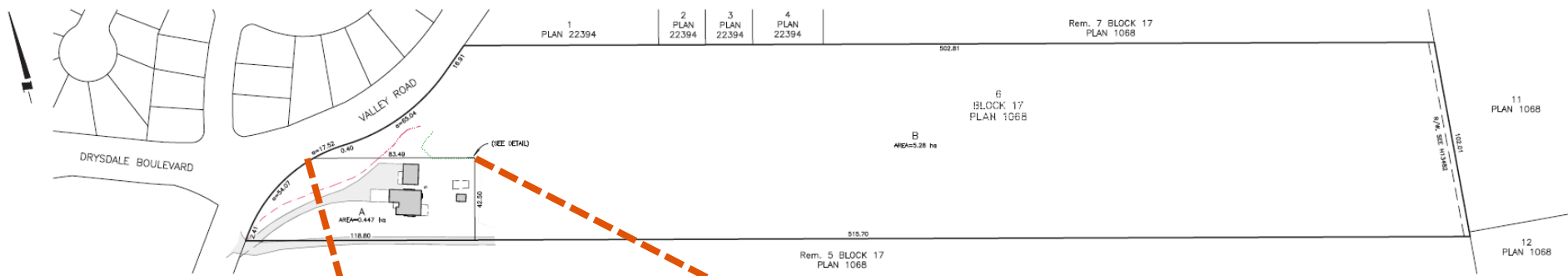
Farming Activity

- ▶ The property is currently leased and is an apple orchard.
 - ▶ The remaining 5.28 ha (13.05 acres) site would remain as an orchard if successful.

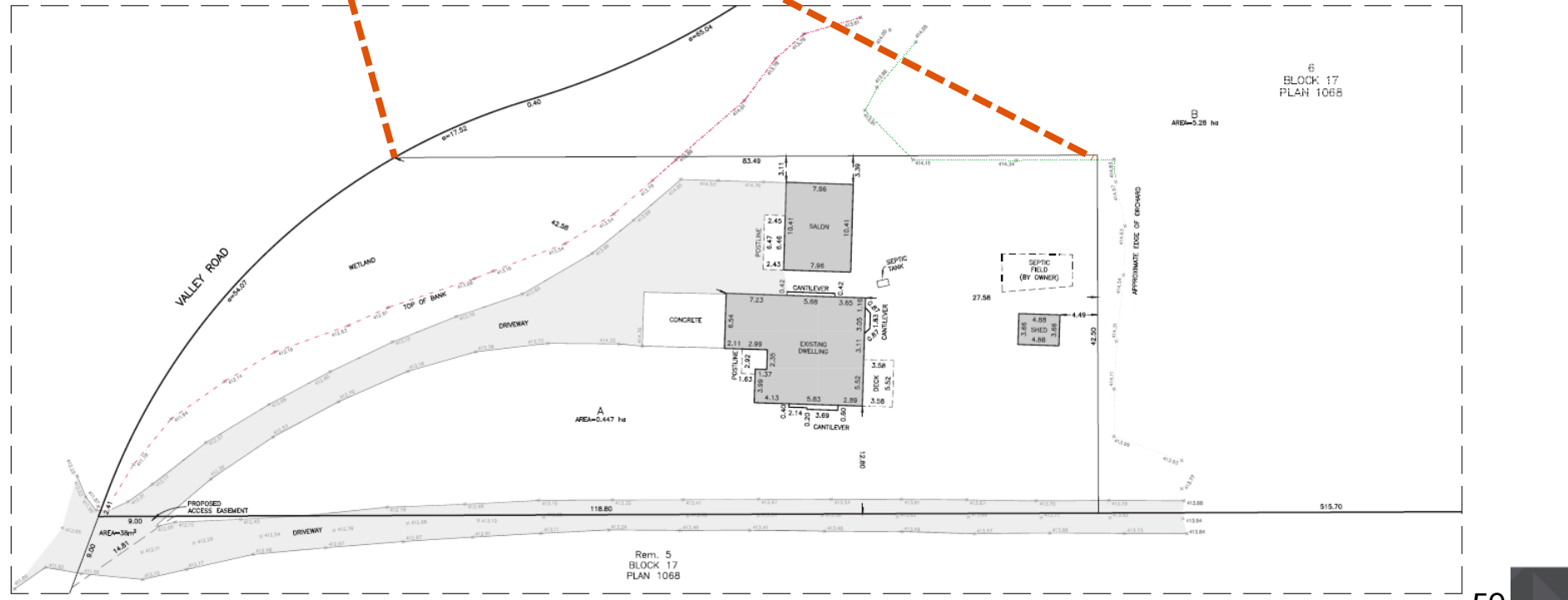
Project Details

- ▶ The applicant is seeking a two-lot subdivision for the purpose of a homesite severance;
 - ▶ The property owner has farmed and resided on the property since April 19, 1967
 - ▶ The ALC requirement is prior to December 21, 1972
- ▶ The applicant is seeking to subdivided off a 0.45 (1.1 acre) subdivision for the homesite.
- ▶ The property currently has three dwellings, if successful, no additional dwellings would be permitted.

Site Plan



DETAIL (SCALE 1:250)



ALC Policy L-11: Homesite Severance on ALR Lands

- ▶ The primary land use criteria of the ALC's policy are that:
 - ▶ The owner has continuously owned and occupied since December 21st, 1972;
 - ▶ The remainder parcel will constitute a suitable agricultural parcel;
 - ▶ The applicant has not previously subdivided the property; and
 - ▶ The existing homesite may be created as a separate parcel where it is of a minimum size compatible with the character of the property and has reasonable access.

OCP Objectives & Policies

- ▶ Policy 8.1.7. Subdivision of Agricultural Land.
 - ▶ Maximize the potential for agricultural land to be used for agriculture by not allowing it to be subdivided into smaller parcels, except where significant positive benefits to agriculture can be demonstrated or in the case of homesite severances approved by the ALC.

Staff Recommendation

- ▶ Staff recommend support for the proposed homesite severances;
 - ▶ Meets the requirements of ALC Policy L-11;
 - ▶ The OCP supports subdivisions that are approved by the ALC;
 - ▶ If successful, the applicant is required to apply for a Subdivision – PLR Application.



Conclusion of Staff Remarks

REPORT TO COUNCIL TEXT AMENDMENTS



Date: November 6, 2023
To: Council
From: City Manager
Address: n/a
File No.: TA23-0010

1.0 Recommendation

THAT Zoning Bylaw Text Amendment application No. TA23-0010 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule 'A' attached to the Report from the Development Planning Department dated November 6, 2023, be considered by Council;

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

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

2.0 Purpose

The purpose of the Text Amendment is to make improvements to following sections of Zoning Bylaw No. 12375: Section 3 – Enforcement Prohibitions, Section 5 - Definitions & Interpretations, Section 7 – Site Layout, Section 8 – Parking & Loading, Section 9 – Specific Use Regulations, Section 10 – Agriculture & Rural Residential Zones, Section 11 – Single and Two Dwelling Zones, Section 13 – Multi-Dwelling Zones, Section 14 – Core Area & Other Zones, and Section 15 – Comprehensive Development Zones.

3.0 Development Planning

Zoning Bylaw No. 12375 was adopted September 26th 2022. Following Official Community Plan policies and commitments to continuously improve and adapt the Zoning Bylaw, Staff are presenting a series of minor amendments for Council's review. It has been a year working with the Zoning Bylaw and Staff, development industry, and the public have identified revisions.

This is the first of three Council reports and will consider text amendment improvements within the Zoning Bylaw. The other two Council reports will address mapping errors and cleanups, one for the Zoning Bylaw and the other for the Official Community Plan. Staff have focused on relatively minor amendments as there are several larger Zoning Bylaw amendment projects that will require separate Council reports, such as: infill housing, RU₄ with duplexes and suites, short-term rentals, minimum landscaping relative to tree protection, parking review, and density bonusing review.

In this report, several recommended content changes are proposed to the Zoning Bylaw. For a detailed list of changes and the reasons for recommending these changes please see the attached Schedule 'A'. Table 3.1 below provides an executive summary of the changes.

Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes		
No.	Area of Change	Additional Detail
1.	Commercial vehicle weight on residential lots, restriction of the number of commercial vehicles on residential lots, and updating the definition of Fleet Services.	Change to the vehicle weights and the number of vehicles that can be stored on residential properties. The change is to increase the allowable commercial vehicle weight to match the same weight that RVs are allowed to be stored on residential lots. The other change is to limit the commercial vehicles on a single family lot to two where there currently is no limit. This change is coordinated with updating the definition of Fleet Services to define a fleet as 3 or more vehicles.
2.	Definition of Dwelling	Eliminate the limitation of one wet bar per dwelling to allow for home design flexibility.
3.	Definition of Temporary Moorage	Adjust Temporary Moorage definition to align with enforcement efforts and recent caselaw from no more than 24 hours to no more than 48 hours.
4.	Definition of Temporary Shelter Services	Adjust definition to include supportive housing as an ancillary use as long as the majority of the gross floor area is used for temporary shelter services.
5.	Adjust floorplate, stepback, and tower separation regulations within the Tall Building section.	Clarify the floorplate regulation applies to the tower above the sixth storey. Clarify the 3 metre stepbacks apply to all building forms above the podium. Clarify the tower separation regulation applies to the whole tower.
6.	Minor changes to Riparian Management Areas versus Environmentally Sensitive Areas terminology.	Changes made to reflect recent updates to development permit procedures for the protection of trees and align the text to match best practices for environmentally sensitive area protection, as an objective of the 2040 OCP.
7.	Change pre-amble language for the parking regulation regarding size and ratio	The intention of this regulation is to apply to all onsite parking spaces and all onsite parking lots, not just the ones that are 'required'.
8.	Change minimum size of parking space abutting a lane	This change is to ensure small parking spaces are not perpendicularly abutting lanes. Small parking spaces compromise the functionality of those lanes with larger vehicles overhanging into the lanes.
9.	Adjust MF1 parking rate	The intended language was to allow the MF1 zone one stall per unit for the first four units. The current wording is unclear in those intentions.
10.	Delete commercial loading space requirement for Child Care, Major.	Deleting the loading stall requirement Child Care Centre, Major uses as it is unnecessary as child care facilities do not need large loading facilities.

Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes		
No.	Area of Change	Additional Detail
11.	Change Home Based Business client restriction from 'on any given day' to 'at any given time'	Council approved a business license at 145 Summer Woods Drive on March 20 th 2023 to facilitate the proposed Home based business. Staff are recommending the change in order to apply the maximum number of client visits to all minor Home Based-Businesses.
12.	Adjust the maximum accessory building footprint regulation for agricultural, rural residential, and single-family zones.	Clarify the maximum footprint for accessory building regulation is applied per building, not applied to the total of all accessory buildings.
13.	Adjust minimum front yard setback for single family dwellings within a S-MU – Suburban Multiple Unit future land use designation	The original reason for this regulation was to honour the hillside sub-zone setbacks, however, it was assumed that there was no single family zoned lots within a S-MU Suburban Multiple Unit future land use designation which was incorrect. Therefore, the effective hillside setbacks should apply to all single family lots including ones with a S-MU Suburban Multiple Unit future land use designation.
14.	Change minimum Private and Common Amenity Space requirement for fee simple townhomes	In fee simple situations there is no strata to manage any common assets, therefore, there should be no requirement for common amenity space. Further, to clarify that a development can provide more than 4.0 m ² per dwelling unit of the Common and Private Amenity Space requirement.
15.	Adjust the MF1 density calculation	Clarify that double fronting lots were intended to be within the 0.8 FAR category.
16.	Adjust the maximum height regulation for apartment buildings within a hillside context.	Add an exemption to exclude the entrance / exit of a parkade from being included in the height calculation.
17.	Within urban centres add Single Detached Housing as a Principal Use and add Secondary Suites as a secondary use but only for single family dwellings.	This change will allow homeowners to do additions or rebuilds if they choose.
18.	Add Apartment Housing as a Secondary Use to the P ₁ – Major Institutional zone and the P ₂ – Education and Minor Institutional zone	Adding Apartment Housing as a secondary use to the P ₁ and P ₂ zones will help facilitate housing projects that are related to the existing institutional uses on site.

Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes		
No.	Area of Change	Additional Detail
19.	Adjust building stepback regulation to only apply to mid-rise buildings and to apply within the urban centres.	This adjustment to building stepbacks will ensure consistency and fairness in mid-rise development regulations across various zones.
20.	Delete remaining half storey regulation identified in Section 14.11	Half storeys are no longer a defined term within this Zoning Bylaw.
21.	Change '1 acre' lot size in the urban plaza regulation to '4,000 m ² '	Change all imperial measurements to metric
22.	Fix the ^{.6} footnote in the CD18 zone addressing minimum common and private amenity space requirements	Footnote ^{.6} is stated in the table but is missing within the footnote text. This change is to ensure the standard language for common and private amenity space regulation is within the table.

Report prepared by: Adam Cseke, Planner Specialist
Reviewed by: Lydia Korolchuk, Acting Supervisor Urban Planning
Reviewed by: Jocelyn Black, Urban Planning Manager
Approved for Inclusion by: Ryan Smith, Divisional Director, Planning, Climate Sustainability & Development Services

Attachments:

Schedule 'A': Proposed Text Amendments Part 1 of 3 to Zoning Bylaw No. 12375

TA23-0010 Schedule A – Proposed Text Amendments

Content Changes to Zoning Bylaw No. 12375

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 3.3.7 Enforcement Prohibitions	See Chart A	See Chart B	To coordinate the vehicle weight restriction of commercial vehicles and recreational vehicles. Add a restriction that no more than two commercial vehicles can be parked or stored within a single family dwelling zones.
2.	Section 5.3 Definitions & Interpretations General Definitions "D"	DWELLING means accommodation providing interconnected, free flowing space including bedroom(s), washrooms, and a kitchen intended for domestic use, and used or intended to be used permanently or semi-permanently for a household. A dwelling includes only one room which, due to its design, plumbing, equipment, and furnishings, may be used primarily as a kitchen, except where otherwise permitted in the bylaw. One wet bar is permitted within a dwelling. This use does not include a room in a hotel or a motel. Secondary suites are considered a separate dwelling unit.	DWELLING means accommodation providing interconnected, free flowing space including bedroom(s), washrooms, and a kitchen intended for domestic use, and used or intended to be used permanently or semi-permanently for a household. A dwelling includes only one room which, due to its design, plumbing, equipment, and furnishings, may be used primarily as a kitchen, except where otherwise permitted in the bylaw. <u>Wet bars are permitted.</u> One wet bar is permitted within a dwelling. This use does not include a room in a hotel or a motel. Secondary suites are considered a separate dwelling unit.	Eliminate the limitation of one wet bar per dwelling to allow for home design flexibility.

No.	Section	Current Wording	Proposed Wording	Reason for Change
3.	Section 5.3 Definitions & Interpretations General Definitions "F"	FLEET SERVICES means development using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long-term lease. Typical uses include but are not limited to ambulance services, rental vehicle, taxi services, bus lines, messenger, and courier services. This does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kilograms.	FLEET SERVICES means a development using a fleet of vehicles (<u>three or more vehicles</u>) for the delivery of people, goods, or services, where such vehicles are not available for sale or long-term lease. Typical uses include but are not limited to ambulance services, rental vehicle, taxi services, bus lines, messenger, and courier services. This does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kilograms.	The weight restriction is covered within the automotive and industrial definitions. Adding three or more vehicles will help clarify this definition and help bylaw enforcement in situations where fleet services are not permitted.
4.	Section 5.3 Definitions & Interpretations General Definitions "M"	MOORAGE, TEMPORARY means the securing of a boat or other water vessel by means of cables, anchors, or other contrivances on a short-term basis of less than 24 hours.	MOORAGE, TEMPORARY means the securing of a boat or other water vessel by means of cables, anchors, or other contrivances on a short-term basis <u>while directly engaging in the active recreational use of the boat or other water vessel, for a period not exceeding 48 hours.</u>	Adjust definition to align with enforcement efforts and recent caselaw.
5.	Section 5.3 Definitions & Interpretations General Definitions "T"	TEMPORARY SHELTER SERVICES means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time. Typical uses include but are not limited to hostels and over-night shelters.	TEMPORARY SHELTER SERVICES means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time. <u>This use includes an ancillary supportive housing use if the majority of the gross floor area is used for temporary shelter services.</u> Typical uses include but are not limited to hostels and over-night shelters.	Adjust definition to align with provincial housing and shelter objectives including current provincial funding models.

No.	Section	Current Wording	Proposed Wording	Reason for Change
6.	Section 5.3 Definitions & Interpretations General Definitions "S"	SUPPORTIVE HOUSING means housing consisting of dwellings with support services on-site that may or may not include collective dining facilities, laundry facilities, counselling, educational services, homemaking, and transportation. Supportive housing can be in any apartment or townhouse building form.	SUPPORTIVE HOUSING means housing consisting of dwellings with support services on-site that may or may not include collective dining facilities, laundry facilities, counselling, educational services, homemaking, and transportation. Supportive housing can be in any apartment or townhouse building form. <u>Supportive Housing can occur within a Single Detached Housing, Duplex Housing, or Semi-Detached Housing provided there are no more than 12 persons who are in care and that the housing is operated by a provincial agency. The layout of the home must remain a single housekeeping group and use a common kitchen.</u>	Adjust the supportive housing definition to reflect evolving models of community-based housing with supports on a small residential scale.
7.	Section 7.2.5 Site Layout Landscaping Standards	Notwithstanding any other provisions in this Bylaw, where Riparian Management Areas are required along stream corridors in accordance with the Official Community Plan, the land and vegetation shall remain undisturbed. In the case of Riparian Management Areas along Okanagan Lake, land is to remain in its natural condition or be landscaped in a manner that either enhances conditions for fish and wildlife or maintains conditions equivalent to those that would have existed had no development occurred. Retaining walls along the Okanagan Lake waterfront are permitted under the terms of a development permit where required to protect lakefront property. All site layout and landscaping provisions must be consistent	Notwithstanding any other provisions in this Bylaw, <u>wherever Environmentally Sensitive Areas (as defined in the OCP) or Natural Hazard Areas (as defined in the OCP) are located, then the land and vegetation shall remain undisturbed or be restored (as described in the OCP). Riparian Management Areas (as defined by the OCP) must remain in its natural condition or be restored in a manner that either enhances conditions for fish and wildlife or maintains conditions equivalent to those that would have existed had no development occurred.</u> where Riparian Management Areas are required along stream corridors in accordance with the Official Community Plan, the land and vegetation shall remain	Changes made to reflect recent updates to development permit procedures for the protection of trees and align the text to match best practices for environmentally sensitive area protection, as an objective of the 2040 OCP

No.	Section	Current Wording	Proposed Wording	Reason for Change
		with the riparian requirements outlined in the Official Community Plan.	undisturbed. In the case of Riparian Management Areas along Okanagan Lake, land is to remain in its natural condition or be landscaped in a manner that either enhances conditions for fish and wildlife or maintains conditions equivalent to those that would have existed had no development occurred. Retaining walls along the Okanagan Lake waterfront are permitted under the terms of a development permit where required to protect lakefront property. All site layout and landscaping provisions must be consistent with the riparian requirements outlined in the Official Community Plan.	
8.	Section 7.2.6 Site Layout Landscaping Standards	All construction on-site must occur concurrently with erosion control measures to prevent the pollution, degradation, or siltation of natural areas and water courses. This includes the provision of temporary fencing prior to and during construction.	All construction on-site must occur concurrently with erosion control <u>and protection measures</u> to prevent the pollution, degradation, or siltation of natural areas, <u>including vegetation</u> and watercourses. This includes the provision of temporary fencing prior to and during construction.	Changes made to reflect recent updates to development permit procedures for the protection of trees and align the text to match best practices for environmentally sensitive area protection, as an objective of the 2040 OCP
9.	Section 7.2.9 Site Layout Landscaping Standards	Where the retention of native trees and ground cover is required or permitted, a letter from a registered professional landscape architect or registered professional forester shall be submitted, indicating the mitigation measures required during and after the construction to ensure the health of the vegetation.	Where the retention of native trees <u>and</u> ground cover is required or permitted, a letter from a registered <u>qualified professional such as a certified arborist or Landscape Architect</u> , registered professional forester shall be submitted indicating the mitigation measures required during and after the	Changes made to reflect recent updates to development permit procedures for the protection of trees and align the text to match best practices for environmentally

No.	Section	Current Wording	Proposed Wording	Reason for Change
			construction to ensure the health of the vegetation.	sensitive area protection, as an objective of the 2040 OCP
10.	Section 8.2.7 Parking and Loading Size and Ratio	Each required off-street parking space and parking lot layout shall conform to the following provisions	Each required off-street parking space and parking lot layout shall conform to the following provisions	The intention of this regulation is to apply to all onsite parking spaces and all onsite parking lots, not just the ones that are 'required'.
11.	Section 8.2.7.b Parking & Loading Size and Ratio Table 8.2.7.bRatio of Parking Space Sizes Footnote ⁴	All parking spaces must be regular size vehicle parking space when the length of a parking space abuts a doorway.	All parking spaces must be regular size vehicle parking space when: <u>the length of a parking space abuts a doorway or when a surface parking space abuts a lane perpendicularly.</u>	This change is to ensure small parking spaces are not perpendicularly abutting lanes. Small parking spaces compromise the functionality of those lanes with larger vehicles overhanging into the lanes.
12.	Section 8.3 Parking and Loading Table 8.3 Required Off- Street Parking Requirements Footnote ⁴	MF1 zoned lots with four dwelling units or less shall have a minimum of one (1) parking space per dwelling unit. The parking rate identified above applies to MF1 lots with five dwelling units or more.	MF1 zoned lots with four dwelling units or less shall have a minimum of one (1) parking space per dwelling unit. <u>The parking rate for MF1 lots (identified above) applies to the fifth dwelling unit and any more dwelling units.</u>	The intended language was also to allow the MF1 zone one stall per unit for the first four units. The current wording was unclear in those intentions.

No.	Section	Current Wording	Proposed Wording	Reason for Change
13.	Section 8.4 Off-Street Loading Size and Access Table 8.4 – Minimum Loading Required	See Chart C	See Chart D	Deleting the loading stall requirement Child Care Centre, Major uses as unnecessary as child care facilities do not need large loading facilities.
14.	Section 9.2 Specific Uses Home-Based Businesses	One client visit to the site from which the business is being operated on any given day.	One client visit to the site from which the business is being operated on any given day <u>at any given time.</u>	Council approved a business license at 145 Summer Woods Drive on March 20 th 2023 to facilitate the proposed Home based business. Staff are recommending the change in order to apply the maximum number of client visits to all minor Home based-Businesses.
15.	Section 9.11 Specific Uses Tall Building Regulations	See Chart E	See Chart F	To clarify where the floorplate regulation applies to. Clarify where the stepbacks apply to. Clarify the tower separation regulation applies to the whole tower.
16.	Section 10.5 Agricultural and Rural Zones A1 Agricultural and Development Regulations	130 m ² . ¹	130 m ² · <u>per building</u> . ¹	To clarify the intention of the regulation.

No.	Section	Current Wording	Proposed Wording	Reason for Change
	Max. Gross Floor Area For Non-Agricultural Accessory Buildings or Structures			
17.	Section 10.6 Agricultural and Rural Zones Development Regulations Criteria	Max. Building Footprint for Accessory Buildings or Structures	Max. Building Footprint <u>per</u> Accessory Building or Structure	To clarify the language that the maximum footprint is per building, not the total of all accessory buildings.
18.	Section 11.5 Single & Two Dwelling Zones Development Regulations	Max. Building Footprint for Accessory Buildings / Structures	Max. Building Footprint <u>per</u> Accessory Building or Structure	To clarify the language that the maximum footprint is per building, not the total of all accessory buildings.
19.	Section 11.5.7 Single & Two Dwelling Zones Development Regulations Footnote ⁷	The front yard and flanking yard setbacks can be reduced to 3.0 m for lots within the Suburban Residential S-RES future land use designation identified in the OCP.	The front yard and flanking yard setbacks can be reduced to 3.0 m for lots within a S-RES - Suburban Residential <u>or a S-MU – Suburban Multiple Unit</u> future land use designation identified in the OCP.	The original reason for this regulation was to honour the hillside sub-zone setbacks, however, it was assumed that there was no single family zoned lots within a S-MU Suburban Multiple Unit future land use designation which was incorrect. Therefore, the effective hillside setbacks should apply to all single family lots including ones

No.	Section	Current Wording	Proposed Wording	Reason for Change
				with a S-MU Suburban Multiple Unit future land use designation.
20.	Section 13.5 Multi-Dwelling Zones Development Regulations Footnotes	.9 4.0 m ² per dwelling unit of the common and private amenity space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas.	.9 <u>A minimum of</u> 4.0 m ² per dwelling unit of the common and private amenity space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas. <u>Common amenity space is not required for fee simple townhouses.</u>	In fee simple situations there is no strata to manage any common assets, therefore, there should be no requirement for common amenity space. Further, to clarify that a development can provide more than 4.0 m ² per dwelling unit of the Common and Private Amenity Space requirement.
21.	Section 13.6 Multi-Dwelling Zones Density and Height Development Regulations Max. Base Density for MF1 zone	0.8 FAR with lane 0.6 FAR without a lane	0.8 FAR <u>for double fronting lots</u> and lots with a lane or 0.6 FAR for lots without a lane	The lots between Cawston Ave and Wilson Ave are double fronting lots without lanes. Having the lower density calculation was meant to apply to new lots outside the original RU7 area. Therefore, this amendment is to restore the original intended density in this area.

No.	Section	Current Wording	Proposed Wording	Reason for Change																				
22.	Section 13.6 Multi-Dwelling Zones Density and Height Development Regulations Footnote ^{.1}	The base height is 18.0 m & 4 storeys except the maximum height may be increased to 22.0 m / 6 storeys if: <ul style="list-style-type: none"> The subject property is fronting onto a Transit Supportive Corridor; or The subject property does not abut a RU1, RU2, RU3, RU4, or RU5 zoned lot. 	<u>If a parkade entrance / exit has a lower finished grade than the surrounding area then this portion of the parkade can be excluded from height calculations.</u> The base height is 18.0 m & 4 storeys except the maximum height may be increased to 22.0 m / 6 storeys if: <ul style="list-style-type: none"> The subject property is fronting onto a Transit Supportive Corridor; or The subject property does not abut a RU1, RU2, RU3, RU4, or RU5 zoned lot. 	To add an exclusion for parkade entrances within hillslope situations as the overall height regulation will remain intact.																				
23.	Section 14.9 Core Area and Other Zones Principal and Secondary Land Uses	n/a	Add a row between row 59 and 60 Add the use of: Single Detached Housing Add as a 'P' Principal Use in the UC1, UC2, UC3, UC4, & UC5 zones Add as '-' Not Permitted for the remaining zones.	This change is to allow single family homes within the urban centre zones as most urban centres were pre-zoned. This change will allow home owners to do additions or rebuilds if they choose.																				
24.	Section 14.9 Core Area and Other Zones Principal and Secondary Land Uses – Secondary Suite	<table border="1"> <thead> <tr> <th>UC1</th> <th>UC2</th> <th>UC3</th> <th>UC4</th> <th>UC5</th> </tr> </thead> <tbody> <tr> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	UC1	UC2	UC3	UC4	UC5	-	-	-	-	-	<table border="1"> <thead> <tr> <th>UC1</th> <th>UC2</th> <th>UC3</th> <th>UC4</th> <th>UC5</th> </tr> </thead> <tbody> <tr> <td>S^{.15}</td> <td>S^{.15}</td> <td>S^{.15}</td> <td>S^{.15}</td> <td>S^{.15}</td> </tr> </tbody> </table>	UC1	UC2	UC3	UC4	UC5	S ^{.15}	S ^{.15}	S ^{.15}	S ^{.15}	S ^{.15}	This change is to allow secondary suites as a permitted secondary use within an urban centre zone and only within a single family home.
UC1	UC2	UC3	UC4	UC5																				
-	-	-	-	-																				
UC1	UC2	UC3	UC4	UC5																				
S ^{.15}	S ^{.15}	S ^{.15}	S ^{.15}	S ^{.15}																				
25.	Section 14.9 Core Area and Other Zones	Apartment Housing for P1 zone: "-" Apartment Housing for P2 zone: "-"	Apartment Housing for P1 zone: " <u>S</u> " Apartment Housing for P2 zone: " <u>S</u> "	Add Apartment Housing as a secondary use to the P1 and P2 zones to help facilitate housing projects that are related																				

No.	Section	Current Wording	Proposed Wording	Reason for Change																				
	Principal and Secondary Land Uses			to the existing institutional uses on site.																				
26.	Section 14.9 Core Area and Other Zones Principal and Secondary Land Uses – Footnote	n/a	Add footnote: -15 Secondary suites are only permitted within Single Detached Housing.	This change is to allow secondary suites as a permitted secondary use within an urban centre zone and only within a single family home.																				
27.	Section 14.11 Core Area and Other Zones Commercial and Urban Centre Zone Development Regulations Criteria – Min Building Stepback from Front Yard and Flanking Side Yard	<table border="1"> <thead> <tr> <th>UC1</th> <th>UC2</th> <th>UC3</th> <th>UC4</th> <th>UC5</th> </tr> </thead> <tbody> <tr> <td>n/a</td> <td>n/a</td> <td>n/a</td> <td>n/a</td> <td>n/a</td> </tr> </tbody> </table>	UC1	UC2	UC3	UC4	UC5	n/a	n/a	n/a	n/a	n/a	<table border="1"> <thead> <tr> <th>UC1</th> <th>UC2</th> <th>UC3</th> <th>UC4</th> <th>UC5</th> </tr> </thead> <tbody> <tr> <td>3.0 m -14</td> <td>3.0 m -14</td> <td>3.0 m -14</td> <td>3.0 m -14</td> <td>3.0 m -14</td> </tr> </tbody> </table>	UC1	UC2	UC3	UC4	UC5	3.0 m -14	3.0 m -14	3.0 m -14	3.0 m -14	3.0 m -14	Add building stepback regulation to the Urban Centre zones so 6 storey building forms have consistent regulation across zones.
UC1	UC2	UC3	UC4	UC5																				
n/a	n/a	n/a	n/a	n/a																				
UC1	UC2	UC3	UC4	UC5																				
3.0 m -14	3.0 m -14	3.0 m -14	3.0 m -14	3.0 m -14																				
28.	Section 14.11 Core Area and Other Zones Commercial and Urban Centre Zone Development Regulations	For any building greater than 18.0 m or 4.5 storeys and located on a corner lot, there shall be a triangular setback 4.5 m in length along the lot lines that meet at each corner of an intersection. This setback will only be required at the first storey. See Visual Example of Corner Lot Setbacks.	For any building greater than 18.0 m or 4.5 storeys and located on a corner lot, there shall be a triangular setback 4.5 m in length along the lot lines that meet at each corner of an intersection. This setback will only be required at the first storey. See Visual Example of Corner Lot Setbacks.	To be consistent with height definition within the remainder of the bylaw by eliminating half storeys.																				

No.	Section	Current Wording	Proposed Wording	Reason for Change
	Criteria – Corner Lots			
29.	Section 14.11 Core Area and Other Zones Commercial and Urban Centre Zone Development Regulations Criteria – Urban Plazas	Any site within an urban centre larger than 1 acre with a building length larger than 100 m shall provide an urban plaza at grade.	Any site within an urban centre larger than <u>4,000 m²</u> with a building length larger than 100 m shall provide an urban plaza at grade.	Every measurement in the Zoning Bylaw is metric except this one. Therefore, the conversation to metric is proposed.
30.	Section 14.11 Core Area & Other Zones Commercial and Urban Centre Zone Development Regulations Footnote ^{.11}	4.0 m ² per dwelling unit of the Common and Private Amenity Space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas. Common and Private Amenity Space can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of Common and Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.	<u>A minimum of 4.0 m²</u> per dwelling unit of the Common and Private Amenity Space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas. Common and Private Amenity Space can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of Common and Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.	To clarify that a development can provide more than 4.0 m ² per dwelling unit of the Common and Private Amenity Space requirement.
31.	Section 14.11 Core Area & Other Zones Commercial and Urban Centre Zone	^{.14} Minimum building setbacks apply only to buildings five (5) storeys and taller. The setback can occur on any floor above the second storey.	^{.14} Minimum building setbacks apply only to buildings <u>that are at least five (5) storeys and not taller than 12 storeys</u> . The setback can occur on any floor above the second storey.	To clarify that the setback regulations only apply to mid-rise building form and not to towers.

No.	Section	Current Wording	Proposed Wording	Reason for Change
	Development Regulations Footnote ^{.14}			
32.	Section 15.3.5 Comprehensive Development Zone CD17 Development Regulations Footnote ^{.3}	4.0 m ² per dwelling unit of the Common and Private Amenity Space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas. Common and Private Amenity Space can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of Common and Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.	<u>A minimum of 4.0 m²</u> per dwelling unit of the Common and Private Amenity Space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas. Common and Private Amenity Space can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of Common and Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.	To clarify that a development can provide more than 4.0 m ² per dwelling unit of the Common and Private Amenity Space requirement.
33.	Section 15.4.5 CD18 – McKinley Beach Resort CD18 Development Regulations Footnotes (Add footnote ^{.6})	n/a	^{.6} <u>A minimum of 4.0 m² per dwelling unit of the Common and Private Amenity Space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas.</u>	Footnote .6 is stated in the table but is missing within the footnote text. This is the standard language for common and private amenity space regulation.
34.	Section 13.2 – Sub-Zone Purposes MF ₁ – Infill Housing	MF1r – Infill Housing with Rental Only	MF1r – Infill Housing Rental Only	To have consistency with sub-zone nomenclature across all zones within the Zoning Bylaw

No.	Section	Current Wording	Proposed Wording	Reason for Change
35.	Section 13.2 – Sub-Zone Purposes MF ₂ – Townhouse Housing	MF ₂ r – Townhouse Housing with Rental Only	MF ₂ r – Townhouse Housing Rental Only	To have consistency with sub-zone nomenclature across all zones within the Zoning Bylaw
36.	Section 13.2 – Sub-Zone Purposes MF ₃ – Apartment Housing	MF ₃ r – Apartment Housing with Rental Only	MF ₃ r – Apartment Housing Rental Only	To have consistency with sub-zone nomenclature across all zones within the Zoning Bylaw

Chart A

Original – Section 3.3.7 Prohibitions

3.3.7 No **owner**, lessee, tenant, or person shall:

- (a) park or store a commercial vehicle in excess of 4,100 kilograms licensed gross vehicle weight on a **lot** in a **residential zone**;
- (b) park or store a **recreational vehicle** in excess of 5,500 kilograms. licensed gross vehicle weight on a **lot** in a **residential zone**;
- (c) permit a motor vehicle in a state of disrepair or derelict for more than 30 days on a **lot** in a **residential zone**;
- (d) park or store more than two **recreational vehicles** outdoors on a **lot** in a **rural residential zone**, **single & two dwelling zone**, or in an **agricultural zone**;
- (e) place or install a flammable / combustible liquid storage container exceeding 205 litres on a **lot** in a **residential zone**;
- (f) fail to deflect lighting away from **adjacent** property as required by **Section 6**;
- (g) conduct a **use** in a **zone** where the use is not listed as a **principal** or **secondary use** in the **zone**;
- (h) permit occupancy of and / or to occupy a secondary **dwelling unit** which is not a permitted **principal** or **secondary use** in the **zone**;
and
- (i) place or store construction materials on a **lot** in a **residential zone** without an active **building permit** on the **lot** unless the construction material is limited in scale and is used for personal use.

Chart B

Proposed – Section 3.3.7 Prohibitions

3.3.7 No **owner**, lessee, tenant, or person shall:

- (a) park or store a commercial vehicle or a **recreational vehicle** in excess of 5,500 kilograms. licensed gross vehicle weight on a **lot** in a **residential zone**;
- (b) permit a motor vehicle in a state of disrepair or derelict for more than 30 days on a **lot** in a **residential zone**;
- (c) park or store more than two commercial vehicles on a **lot** in a **single & two dwelling zone**.
- (d) park or store more than two **recreational vehicles** outdoors on a **lot** in a **rural residential zone, single & two dwelling zone**, or in an **agricultural zone**;
- (e) place or install a flammable / combustible liquid storage container exceeding 205 litres on a **lot** in a **residential zone**;
- (f) fail to deflect lighting away from **adjacent** property as required by **Section 6**;
- (g) conduct a **use** in a **zone** where the use is not listed as a **principal** or **secondary use** in the **zone**;
- (h) permit occupancy of and / or to occupy a secondary **dwelling unit** which is not a permitted **principal** or **secondary use** in the **zone**;
and
- (i) place or store construction materials on a **lot** in a **residential zone** without an active **building permit** on the **lot** unless the construction material is limited in scale and is used for personal use.

Chart C

Original – Table 8.4- Minimum Loading Required

Table 8.4 – Minimum Loading Required	
GFA = gross floor area m ² = square metres	
Type of Development (Use)	Required Loading Spaces
Child Care Centre, Major	For 1 – 25 children 0 loading spaces
	For 26 or more children 1 loading spaces
Commercial Uses	1 per 1,900 m ² GFA
Hotels/ Motels	1 per 2,800 m ² GFA
Industrial Uses	1 per 1,900 m ² GFA
Institutional Uses	1 per 2,800 m ² GFA

Chart D

Proposed – Table 8.4- Minimum Loading Required

Table 8.4 – Minimum Loading Requirement GFA = gross floor area m ² = square metres	
Type of Development (Use)	Required Loading Spaces
Commercial Uses	1 per 1,900 m ² GFA
Hotels/ Motels	1 per 2,800 m ² GFA
Industrial Uses	1 per 1,900 m ² GFA
Institutional Uses	1 per 2,800 m ² GFA

Chart E

Original – Table 9.11 – Tall Building Regulations

Table 9.11 – Tall Building Regulations m = metres / m ² = square metres	
Criteria	Regulation (GFA = Gross Floor Area)
Minimum amount of transparent glazing on first floor frontage façade	75% for commercial frontage n/a for residential frontage
Minimum depth of any commercial unit fronting a street	6 m
Minimum setback for each corner lot applied only to the first storey	There shall be a triangular setback 4.5 m long abutting along the lot lines that meet at each corner of an intersection. Within the volumetric 4.5 m triangular setback there shall be no buildings or structural columns are permitted. See visual example figure 9.11.1.
Podium height (maximum)	16 m
Podium rooftop	The rooftop of the podium shall not be used for parking and there shall be no parking spaces within the parkade that do not have an overhead roof for weather protection.
Minimum building separation measured from exterior face of the building :	30 m
For structures taller than 40.0 m or 13 storeys (whichever is lesser) in height, the floor plate ^{.1} above 16.0 m cannot exceed:	<ul style="list-style-type: none"> a) 750 m² GFA for residential use b) 850 m² GFA for hotel use c) 930 m² GFA for office and/or commercial uses

Table 9.11 – Tall Building Regulations m = metres / m ² = square metres	
Criteria	Regulation (GFA = Gross Floor Area)
Tower stepback above podium, including balconies, on the front building facade and flanking building facade (minimum)	3 m
Barrier free accessibility	Every building shall have front entrance at finished grade on the front and/or flanking street. The main residential entrance and exit shall and all commercial spaces shall provide barrier free accessibility to the nearest sidewalk.
<p>FOOTNOTES (Table 9.11.):</p> <p>¹ The floorplate is the gross floor area per floor of interior space and excludes all exterior spaces such as decks, patios, balconies, etc.)</p>	

Chart F

Proposed – Table 9.11 – Tall Building Regulations

Table 9.11 – Tall Building Regulations m = metres / m ² = square metres	
Criteria	Regulation (GFA = Gross Floor Area)
Minimum amount of transparent glazing on first floor frontage façade	75% for commercial frontage n/a for residential frontage
Minimum depth of any commercial unit fronting a street	6 m
Minimum setback for each corner lot applied only to the first storey	There shall be a triangular setback 4.5 m long abutting along the lot lines that meet at each corner of an intersection. Within the volumetric 4.5 m triangular setback there shall be no buildings or structural columns are permitted. See visual example figure 9.11.1.
Podium height (maximum)	16 m
Podium rooftop	The rooftop of the podium shall not be used for parking and there shall be no parking spaces within the parkade that do not have an overhead roof for weather protection.
Parking Restriction	No parking is permitted above 16 metres from finished grade.
Minimum tower separation from another tower measured from exterior face of the tower	30 m
Maximum floor plate above the sixth storey ^{.1}	a) 750 m ² GFA for residential use b) 850 m ² GFA for hotel use c) 930 m ² GFA for office and/or commercial uses

Table 9.11 – Tall Building Regulations m = metres / m ² = square metres	
Criteria	Regulation (GFA = Gross Floor Area)
Minimum stepback above podium (including balconies)	3 m
Barrier free accessibility	Every building shall have front entrance at finished grade on the front and/or flanking street. The main residential entrance and exit shall and all commercial spaces shall provide barrier free accessibility to the nearest sidewalk.
FOOTNOTES (Table 9.11.): ¹ The floorplate is the gross floor area per floor of interior space and excludes all exterior spaces such as decks, patios, balconies , etc.)	



City of
Kelowna

TA23-0010

General Improvements to Zoning Bylaw

Text Amendments

Purpose

- ▶ The purpose of the text amendment is to make improvements to following sections of Zoning Bylaw No. 12375:
 - ▶ Section 3 – Enforcement Prohibitions,
 - ▶ Section 5 - Definitions & Interpretations,
 - ▶ Section 7 – Site Layout,
 - ▶ Section 8 – Parking & Loading,
 - ▶ Section 9 – Specific Use Regulations,
 - ▶ Section 10 – Agriculture & Rural Residential Zones,
 - ▶ Section 11 – Single and Two Dwelling Zones,
 - ▶ Section 13 – Multi-Dwelling Zones,
 - ▶ Section 14 – Core Area & Other Zones, and
 - ▶ Section 15 – Comprehensive Development Zones

New Zoning Bylaw History

Jan 2022

2040 OCP



Sept 2022

Zoning Bylaw 12375



May 2023

Zoning Bylaw Transition Plan Amendments



Oct 2023

Text Amendments to fix errors

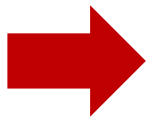


Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of Change	Additional Detail
1.	Commercial vehicle weight on residential lots, restriction of the number of commercial vehicles on residential lots, and updating the definition of Fleet Services.	Change to the vehicle weights and the number of vehicles they can store on their residential properties. The change is to increase the allowable commercial vehicle weight to match the same weight that RVs are allowed to be stored on residential lots. The other change is to limit the commercial vehicles on a single family lot to two where there currently is no limit. This change is coordinated with updating the definition of Fleet Services to define a fleet as 3 or more vehicles.
2.	Definition of Dwelling	Eliminate the limitation of one wet bar per dwelling to allow for home design flexibility.
3.	Definition of Temporary Moorage	Adjust Temporary Moorage definition to align with enforcement efforts and recent caselaw from no more than 24 hours to no more than 48 hours.
4.	Definition of Temporary Shelter Services	Adjust definition to include supportive housing as an ancillary use as long as the majority of the gross floor area is used for temporary shelter services.
5.	Definition of Supportive Housing	Add supportive housing to single family dwellings as long as the care is operated by a provincial agency. The purpose of this change is to reflect evolving models of community-based housing with supports on a small residential scale.

Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of Change	Additional Detail
6.	Adjust floorplate, setback, and tower separation regulations within the Tall Building section.	Clarify the floorplate regulation applies to the tower above the sixth storey. Clarify the 3 metre setbacks apply to all building forms above the podium. Clarify the tower separation regulation applies to the whole tower.
7.	Minor changes to Riparian Management Areas versus Environmentally Sensitive Areas terminology.	Changes made to reflect recent updates to development permit procedures for the protection of trees and align the text to match best practices for environmentally sensitive area protection, as an objective of the 2040 OCP.
8.	Change pre-amble language for the parking regulation regarding size and ratio	The intention of this regulation is to apply to all onsite parking spaces and all onsite parking lots, not just the ones that are 'required'.
9.	Change minimum size of parking space abutting a lane	This change is to ensure small parking spaces are not perpendicularly abutting lanes. Small parking spaces compromise the functionality of those lanes with larger vehicles overhanging into the lanes.
10.	Adjust MF1 parking rate	The intended language was to allow the MF1 zone one stall per unit for the first four units. The current wording is unclear in those intentions.

Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of Change	Additional Detail
11.	Delete commercial loading space requirement for Child Care, Major.	Deleting the loading stall requirement Child Care Centre, Major uses as unnecessary as child care facilities do not need large loading facilities.
12.	Change Home Based Business client restriction from 'on any given day' to 'at any given time'	Council approved a business license at 145 Summer Woods Drive on March 20 th 2023 to facilitate the proposed Home based business. Staff are recommending the change in order to apply the maximum number of client visits to all minor Home Based-Businesses.
13.	Adjust the maximum accessory building footprint regulation for agricultural, rural residential, and single-family zones.	Clarify the maximum footprint for accessory building regulation is applied per building, not applied to the total of all accessory buildings.
14.	Adjust minimum front yard setback for single family dwellings within a S-MU – Suburban Multiple Unit future land use designation	The original reason for this regulation was to honour the hillside sub-zone setbacks, however, it was assumed that there was no single family zoned lots within a S-MU Suburban Multiple Unit future land use designation which was incorrect. Therefore, the effective hillside setbacks should apply to all single family lots including ones with a S-MU Suburban Multiple Unit future land use designation.

Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of Change	Additional Detail
15.	Change minimum Private and Common Amenity Space requirement for fee simple townhomes	In fee simple situations there is no strata to manage any common assets, therefore, there should be no requirement for common amenity space. Further, to clarify that a development can provide more than 4.0 m ² per dwelling unit of the Common and Private Amenity Space requirement.
16.	Adjust the MF1 density calculation	Clarify that double fronting lots were intended to be within the 0.8 FAR category.
17.	Adjust the maximum height regulation for apartment buildings within a hillside context.	Add an exemption to exclude the entrance / exit of a parkade from being included in the height calculation.
18.	Within urban centres add Single Detached Housing as a Principal Use and add Secondary Suites as a secondary use but only for single family dwellings.	This change will allow homeowners to do additions or rebuilds if they choose.

Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of Change	Additional Detail
19.	Add Apartment Housing as a Secondary Use to the P1 – Major Institutional zone and the P2 – Education and Minor Institutional zone	Adding Apartment Housing as a secondary use to the P1 and P2 zones will help facilitate housing projects that are related to the existing institutional uses on site.
20.	Adjust building setback regulation to only apply to mid-rise buildings and to apply within the urban centres.	This adjustment to building setbacks will ensure consistency and fairness in mid-rise development regulations across various zones.
21.	Delete remaining half storey regulation identified in Section 14.11	Half storeys are no longer a defined term within this Zoning Bylaw.
22.	Change '1 acre' lot size in the urban plaza regulation to '4,000 m ² '	Change all imperial measurements to metric
23.	Fix the .6 footnote in the CD18 zone addressing minimum common and private amenity space requirements	Footnote .6 is stated in the table but is missing within the footnote text. This change is to ensure the standard language for common and private amenity space regulation is within the table.

Staff Recommendation

- ▶ Staff recommend **support** for the proposed Text Amendments and recommend the bylaw be forwarded to public hearing
 - ▶ Cleanup language improvements to Zoning Bylaw to increase functionality and applicability

CITY OF KELOWNA
BYLAW NO. 12594
TA23-0010 – Content Changes

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 **Section 3 – Enforcement, Section 3.3 – Prohibitions, Section 3.3.7** be deleted in its entirety and replaced with Section 3.3.7 outlined in **Schedule A** as attached to and forming part of this bylaw;
2. AND THAT **Section 5 – Definitions & Interpretations, Section 5.3 – General Definitions, DWELLING** be amended by deleting "One **wet bar** is permitted within a dwelling." and replacing it with "Wet bars are permitted.";
3. AND THAT **Section 5 – Definitions & Interpretations, Section 5.3 – General Definitions, FLEET SERVICES** be amended as follows:
 - a) Adding "(three or more)" after "using a fleet of vehicles", and
 - b) Deleting "This does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kilograms.";
4. AND THAT **Section 5 – Definitions & Interpretations, Section 5.3 – General Definitions, MOORAGE, TEMPORARY** be amended by deleting "of less than 24 hours." and replacing it with the following:

"while directly engaging in the active recreational use of the boat or other vessel, for a period not exceeding 48 hours.";
5. AND THAT **Section 5 – Definitions & Interpretations, Section 5.3 – General Definitions, SUPPORTIVE HOUSING** be amended by adding the following after "townhouse building form.":

"Supportive Housing can occur within a Single Detached Housing, Duplex Housing, or Semi-Detached Housing provided there are no more than 12 persons who are in care and that the housing is operated by a provincial agency. The layout of the home must remain a single housekeeping group and use a common kitchen.";

6. AND THAT **Section 5 – Definitions & Interpretations, Section 5.3 – General Definitions, TEMPORARY SHELTER SERVICES** be amended by adding the following before “Typical uses include”:

“This use includes an ancillary supportive housing use if the majority of the gross floor area is used for temporary shelter services.”;

7. AND THAT **Section 7 – Site Layout, Section 7.2 – Landscaping Standards, 7.2.5** be amended as follows:

Deleting the following:

“ where **Riparian Management Areas** are required along stream corridors in accordance with the **Official Community Plan**, the land and vegetation shall remain undisturbed. In the case of **Riparian Management Areas** along Okanagan Lake, land is to remain in its natural condition or be landscaped in a manner that either enhances conditions for **fish** and wildlife or maintains conditions equivalent to those that would have existed had no **development** occurred. **Retaining walls** along the Okanagan Lake waterfront are permitted under the terms of a development permit where required to protect lakefront property. All site layout and **landscaping** provisions must be consistent with the riparian requirements outlined in the **Official Community Plan.**”

And replacing it with:

“wherever Environmentally Sensitive Areas (as defined in the OCP) or Natural Hazard Areas (as defined in the OCP) are located, then the land and vegetation shall remain undisturbed or be restored (as described in the OCP). Riparian Management Areas (as defined by the OCP) must remain in its natural condition or be restored in a manner that either enhances conditions for fish and wildlife or maintains conditions equivalent to those that would have existed had no development occurred.”;

8. AND THAT **Section 7 – Site Layout, Section 7.2 – Landscaping Standards, 7.2.6** be amended as follows:

- a) Adding “and protection measures” after “concurrently with erosion control”, and
- b) Adding “, including vegetation” after “siltation of natural areas”;

9. AND THAT **Section 7 – Site Layout, Section 7.2 – Landscaping Standards, 7.2.9** be amended by deleting “native” after “Where the retention of”;

10. AND THAT **Section 7 – Site Layout, Section 7.2 – Landscaping Standards, 7.2.9** be amended as follows:

Deleting the following:

“registered professional landscape architect or registered professional forester”

And replacing it with:

“qualified professional, such as a certified arborist or Landscape Architect,”;

11. AND THAT **Section 8 – Parking and Loading, Section 8.2 – Parking Setbacks, 8.2.7** be amended by deleting “required” before “off-street parking space”;
12. AND THAT **Section 8 – Parking and Loading, Section 8.2 – Parking Setbacks, Table 8.2.7.b Ratio of Parking Space Sizes, FOOTNOTE 4** be amended by deleting the “.” after “abuts a doorway” and replacing it with “or when a surface parking space abuts a lane perpendicularly.”;
13. AND THAT **Section 8 – Parking and Loading, Section 8.3 – Required Off-Street Parking Requirements, Table 8.3.1 Residential Multi-Dwelling Parking, FOOTNOTE 4** be amended as follows:

Deleting the following:

“The parking rate identified above applies to MF1 lots with five dwelling units or more.”

And replacing it with:

“The parking rate for MF1 lots (identified above) applies to the fifth dwelling unit and any more dwelling units.”;

14. AND THAT **Section 8 – Parking and Loading, Section 8.4 – Off-Street Loading, Table 8.4 – Minimum Loading Requirement** be deleted in its entirety and replaced with Table 8.4 outlined in **Schedule B** as attached to and forming part of this bylaw;
15. AND THAT **Section 9 – Specific Use Regulations, Section 9.2 – Home Based Businesses, Section 9.2 – Home Based Business Regulations, Maximum Number of Clients / Visitors, Minor** be amended by deleting “on any given day” and replacing it with “at any given time.”;
16. AND THAT **Section 9 – Specific Use Regulations, Section 9.11 – Tall Building Regulations, Table 9.11 – Tall Building Regulations** be deleted in its entirety and replaced with Table 9.11 outlined in **Schedule C** as attached to and forming part of this bylaw;
17. AND THAT **Section 10 – Agriculture & Rural Zones, Section 10.5 – A1 Agricultural and Development Regulations, Non-Agricultural Accessory Buildings or Structures, Max Gross Floor Area** be amended by adding “per building” after “130 m²”;

18. AND THAT **Section 10 – Agriculture & Rural Zones, Section 10.6 – Development Regulations, Criteria** be amended by deleting “**Max. Building Footprint for Accessory Buildings or Structures**” and replacing it with “Max. Building Footprint per Accessory Building or Structure”;

19. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.5 – Development Regulations** be amended by deleting “**Max. Building Footprint for Accessory Buildings / Structures**” and replacing it with “Max. Building Footprint per Accessory Building or Structure”;

20. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.5 – Development Regulations, FOOTNOTE ⁷** be amended as follows:

Deleting the following:

“the Suburban Residential S-RES”

And replacing it with:

“a S-RES - Suburban Residential or a S-MU – Suburban Multiple Unit”;

21. AND THAT **Section 13 – Multi- Dwelling Zones, Section 13.5 – Development Regulations, FOOTNOTE ⁹** be amended as follows:

- a) Adding “A minimum of” before “4.0 m² per **dwelling unit**”, and
- b) Adding “Common amenity space is not required for fee simple townhouses.” after “required setback areas.”;

22. AND THAT **Section 13 – Multi- Dwelling Zones, Section 13.6 – Density and Height Development Regulations, Max Base Density, MF1** be amended as follows:

Deleting the following:

“0.8 FAR with lane
0.6 FAR without a lane”

And replacing it with:

“0.8 FAR for double fronting lots and lots with a lane or
0.6 FAR for lots without a lane”;

23. AND THAT **Section 13 – Multi- Dwelling Zones, Section 13.6 – Density and Height Development Regulations, FOOTNOTE ¹⁴** be amended by adding the following before “The base height is”:
- “If a parkade entrance / exit has a lower finished grade than the surrounding area then this portion of the parkade can be excluded from height calculations.”;
24. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses** be amended as follows:
- a) Inserting a row for “Single Detached Housing” under the “Secondary Suite” row,
 - b) Adding “P” to the “Single Detached Housing” row under “UC1”, under “UC2”, under “UC3”, under “UC4”, and under “UC5”, and
 - c) Adding “-” to the “Single Detached Housing” row under “C1”, under “C2”, under “CA1”, under “VC1”, under “I1”, under “I2”, under “I3”, under “I4”, under “P1”, under “P2”, under “P3”, under “P4”, under “P5”, under “HD1”, under “W1”, and under “W2”;
25. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses, Secondary Suite** be amended by deleting “-” under “UC1”, under “UC2”, under “UC3”, under “UC4”, and under “UC5” and replacing it with “S ¹⁵”;
26. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses, Apartment Housing, Apartment Housing** be amended by deleting “-” under “P1” and under “P2” and replacing it with “S”;
27. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses** be amended by adding the following FOOTNOTE in its appropriate location:
- ¹⁵ Secondary suites are only permitted within Single Detached Housing.”;
28. AND THAT **Section 14 – Core Area & Other Zones, Section 14.11 – Commercial and Urban Centre Zone Development Regulations, Min. Building Stepback from Front Yard and Flanking Side Yard** be amended by deleting “n/a” under “UC1”, under “UC2”, under “UC3”, under “UC4”, and under “UC5” and replacing it with “30.0 m ¹⁴”;
29. AND THAT **Section 14 – Core Area & Other Zones, Section 14.11 – Commercial and Urban Centre Zone Development Regulations, Corner Lots** be amended by deleting the “.5” after “For any building greater than 18.0 m or 4”;
30. AND THAT **Section 14 – Core Area & Other Zones, Section 14.11 – Commercial and Urban Centre Zone Development Regulations, Urban Plazas** be amended by deleting “1 acre” and replacing it with “4,000 m²”;

31. AND THAT **Section 14 – Core Area & Other Zones, Section 14.11 – Commercial and Urban Centre Zone Development Regulations, FOOTNOTE ¹¹** be amended by adding “A minimum of” before “4.0 m² per dwelling unit”;

32. AND THAT **Section 14 – Core Area & Other Zones, Section 14.11 – Commercial and Urban Centre Zone Development Regulations, FOOTNOTE ¹⁴** be amended as follows:

Deleting the following:

“Minimum building setbacks apply only to buildings five (5) storeys and taller.”

And replacing it with:

“Minimum building setbacks apply only to buildings that are at least five (5) storeys and not taller than 12 storeys.”;

33. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.3 – CD17 – High Density Mixed Use Commercial, Section 15.3.5 – CD17 Development Regulations, FOOTNOTE ³** be amended by adding “A minimum of” before “4.0 m² per dwelling unit”;

34. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4 – CD18 – McKinley Beach Resort, Section 15.4.5 – CD18 Development Regulations** be amended by adding the following FOOTNOTE in its appropriate location:

“⁶A minimum of 4.0 m² per dwelling unit of the Common and Private Amenity Space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas.”;

35. AND FURTHER THAT **Section 13 – Multi-Dwelling Zones, Section 13.2 – Sub-Zone Purposes, Sub-Zone** be amended as follows:

- a) Deleting “with” after “MF1r – Infill Housing”,
- b) Deleting “with” after “MF2r – Townhouse Housing”, and
- c) Deleting “with” after “MF3r – Apartment Housing”;

36. 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

Schedule A

3.3.7 No owner, lessee, tenant, or person shall:

- (a) park or store a commercial vehicle or a recreational vehicle in excess of 5,500 kilograms. licensed gross vehicle weight on a lot in a residential zone;
- (b) permit a motor vehicle in a state of disrepair or derelict for more than 30 days on a lot in a residential zone;
- (c) park or store more than two commercial vehicles on a lot in a single & two dwelling zone.
- (d) park or store more than two recreational vehicles outdoors on a lot in a rural residential zone, single & two dwelling zone, or in an agricultural zone;
- (e) place or install a flammable / combustible liquid storage container exceeding 205 litres on a lot in a residential zone;
- (f) fail to deflect lighting away from adjacent property as required by Section 6;
- (g) conduct a use in a zone where the use is not listed as a principal or secondary use in the zone;
- (h) permit occupancy of and / or to occupy a secondary dwelling unit which is not a permitted principal or secondary use in the zone; and
- (i) place or store construction materials on a lot in a residential zone without an active building permit on the lot unless the construction material is limited in scale and is used for personal use.

Schedule B

Table 8.4 – Minimum Loading Requirement

GFA = gross floor area
m² = square metres

Type of Development (Use)	Required Loading Spaces
Commercial Uses	1 per 1,900 m ² GFA
Hotels / Motels	1 per 2,800 m ² GFA
Industrial Uses	1 per 1,900 m ² GFA
Institutional Uses	1 per 2,800 m ² GFA

Schedule C

Table 9.11 – Tall Building Regulations	
m = metres / m ² = square metres	
Criteria	Regulation (GFA = Gross Floor Area)
Minimum amount of transparent glazing on first floor frontage façade	75% for commercial frontage n/a for residential frontage
Minimum depth of any commercial unit fronting a street	6 m
Minimum setback for each corner lot applied only to the first storey	There shall be a triangular setback 4.5 m long abutting along the lot lines that meet at each corner of an intersection. Within the volumetric 4.5 m triangular setback there shall be no buildings or structural columns are permitted. See visual example figure 9.11.1.
Podium height (maximum)	16 m
Podium rooftop	The rooftop of the podium shall not be used for parking and there shall be no parking spaces within the parkade that do not have an overhead roof for weather protection.
Parking Restriction	No parking is permitted above 16 metres from finished grade.
Minimum tower separation from another tower measured from exterior face of the tower .	30 m
Maximum floor plate above the sixth storey. ^{.1}	<ul style="list-style-type: none"> a) 750 m² GFA for residential use b) 850 m² GFA for hotel use c) 930 m² GFA for office and/or commercial uses
Minimum stepback above podium (including balconies)	3 m
Barrier free accessibility	Every building shall have front entrance at finished grade on the front and/or flanking street. The main residential entrance and exit shall and all commercial spaces shall provide barrier free accessibility to the nearest sidewalk.
FOOTNOTES (Table 9.11.):	
^{.1} The floorplate is the gross floor area per floor of interior space and excludes all exterior spaces such as decks, patios, balconies , etc.)	

REPORT TO COUNCIL REZONING



Date: November 6, 2023
To: Council
From: City Manager
Address: 3256 Appaloosa Rd
File No.: Z23-0024

	Existing	Proposed
OCP Future Land Use:	IND - Industrial	IND - Industrial
Zone:	A2 – Agriculture / Rural Residential	I2 – General Industrial

1.0 Recommendation

THAT Rezoning Application No. Z23-0024 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 16, Section 2, Township 23, ODYD, Plan 18861, located at 3256 Appaloosa Road, Kelowna, BC from the A2 – Agriculture / Rural Residential zone to the I2 – General Industrial 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 November 6, 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 A2 – Agriculture / Rural Residential zone to the I2 – General Industrial zone to facilitate industrial development.

3.0 Development Planning

Staff support the proposed application to rezone the subject property from the A2 – Agriculture / Rural Residential (Non-ALR) zone to the I2 – General Industrial zone to facilitate industrial development on the subject property. Located within the within the permanent growth boundary , the 2040 Official Community Plan (OCP) designates the subject property as IND – Industrial, which support the continued development of industrial lands under this designation. The I2 zone allows for a range of low-impact general industrial uses that are intended to act as a transition between the general industrial areas to the west, east and south, and the rural residential areas to the north. The permitted uses, development regulations, screening requirements, outdoor storage restriction and other regulations within the I2 zone are designed to limit negative impacts to the nearby residential, rural, and non-ALR agricultural uses in the area.

Lot Area	Proposed (m ²)
Gross Site Area	8,134 m ²
Road Dedication	Approx. 202.1 m ²
Net Site Area	Approx. 7,931.9 m ²

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing	Single Detached Dwelling
East	I1 – Business Industrial I2 – General Industrial	Industrial
South	A2 – Non ALR Agriculture I2 – General Industrial	Rural Residential
West	RR2 – Small Lot Rural Residential I2 – General Industrial	Rural Residential Industrial

Subject Property Map: 3256 Appaloosa Rd



The subject property is a corner lot located at Appaloosa Rd and Hollywood Rd N, is within an industrial area of the Gateway Growth District with many industrial services and is in close proximity to Highway 97.

4.1 Background and Project Description

The Arab/Appaloosa Road Area (the area; the neighbourhood) has a long-standing planning history. A project update for the area was presented to Council on February 28, 2022. Subsequently, 11 properties in the central part of the neighbourhood were rezoned to I2 – General Industrial in July 2022.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution. In order to rezone the subject lot to industrial, the road network in the area requires comprehensive

upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and upgrades to Hollywood Road.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.4 Industrial/Residential Interface	Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods. <i>The proposed rezoning and permitted land uses under the I2 zone are considered low impact for surrounding residential / industrial interface.</i>
Policy 6.4.7 Industrial Employment	Support development of industrial lands in the Gateway, recognizing the important role that industrial activities play in meeting employment and service needs of the city and region. <i>The proposed rezoning and development of the subject property could provide opportunity for industrial employment and services needed by the City and the surrounding region.</i>

6.0 Application Chronology

Application Accepted: April 21, 2023
 Neighbourhood Notification Summary Received: July 19, 2023
 Revised Drawings Received: August 31, 2023

Report prepared by: Barbara B. Crawford, Planner II
Reviewed by: Lydia Korolchuk, Acting Planning Supervisor
Reviewed by: Dean Strachan, Community Planning & Development Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:
 Attachment A: Development Engineering Memo

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

CITY OF KELOWNA

MEMORANDUM

ATTACHMENT A

This forms part of application
Z23-0024

Planner Initials BC



City of
Kelowna
DEVELOPMENT PLANNING

Date: May 23, 2023

File No.: Z23-0024

To: File Manager (TC)

From: Development Engineering Manager (NC)

Subject: 3256 Appaloosa Rd A2 to I2

The Development Engineering Branch has the following comments and requirements for this application to rezone the subject property from A2 - Agriculture/Rural Residential (Non-ALR) to I2 - General Industrial to facilitate an industrial building development.

The Development Engineering Technician for this project is Cindal McCabe (cmccabe@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/PLR 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. PROPERTY-RELATED REQUIREMENTS

- a. Road dedication is required along the Hollywood Rd frontage to achieve up to a 25m ROW in accordance with the preliminary design for the Hollywood Rd 7 DCC project. Preliminary Hollywood Rd plans have been shared with the applicant and will be confirmed prior to final design and Land Titles registration.
- b. Due to the Hollywood Rd DCC project, a Road Reserve is required to be registered on title for the area of the future Appaloosa Rd cul-de-sac. The details of providing future compensation for the land will be determined with the Applicant during the Road Reserve registration process.

3. SANITARY SEWER SYSTEM

- a. The applicant will be required to extend the municipal sanitary sewer main from Academy Way along Appaloosa Rd in order to provide sanitary sewer service to the proposed development.
- b. Only one service will be permitted for each legal lot.
- c. Industrial lots require an inspection manhole within the subject lot and an inspection chamber (as per SS-S7, c/w Brooks Box) within the City's ROW as per section 2.16 of Schedule 4 of the Subdivision, Development & Servicing Bylaw No. 7900.

4. STORM DRAINAGE

- a. The applicant will be required to extend the municipal storm sewer main from either Academy Way or Hollywood Rd along Appaloosa Rd in order to provide storm sewer service to the proposed development. In either case, the applicant will be responsible to assess adverse downstream capacity and water quality impacts and mitigate, if present.

5. ROAD IMPROVEMENTS

- a. Hollywood Rd must be upgraded to a 25 m wide modified SS-R16 urban standard along the full frontage of the subject property. Required upgrades must include curb and gutter, sidewalk, storm drainage system, LED street lighting, landscaped and irrigated boulevard, pavement removal and replacement and re-location or adjustment of utility appurtenances. The City wishes to defer construction of portions of this work to happen in conjunction with the Hollywood Rd 7 DCC project to construct a multi-use corridor along Hollywood Rd. ***The applicant will be responsible for construction of a 1.8m wide concrete sidewalk, boulevard grading, and boulevard landscaping & irrigation (including sod, street trees, and root barrier) to the existing edge of asphalt.*** The City will provide centerline road geometry to assist in design of the sidewalk and boulevard. A one-time cash payment in lieu of construction for the remaining directly attributable frontage improvements must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$148,951.70.**
- b. Appaloosa Rd is classified in the 2040 OCP as an industrial local and must be upgraded to a modified SS-R5 standard along the full frontage of the subject property to facilitate additional corridor density associated with this development. As part of the Hollywood Rd 7 DCC project, Appaloosa Rd is planned to be terminated at Hollywood Rd via addition of a cul-de-sac. The cul-de-sac bulb is to be centered on the alignment and is to extend far enough east so that driveway access can be achieved directly from the cul-de-sac with additional lanes. Therefore, only partial frontage improvements along Appaloosa Rd are required, proportional to and in coordination with the cul-de-sac design. Required upgrades include curb and gutter, sidewalk, 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. Sidewalk, landscaping, and streetlighting is to extend east along the full frontage and connect to the Hollywood Rd sidewalk being constructed per item (a) above.
- c. All Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IIABC, are to be included as a line item in the estimate for the Servicing Agreement performance security. Landscape and irrigation plans require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.
- d. Streetlights must be installed on all public roads. All streetlighting plans are to include photometric calculations demonstrating Bylaw 7900 requirements are met and require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.

6. POWER AND TELECOMMUNICATION SERVICES

- a. All proposed distribution and service connections are to be installed underground. It is the developer’s responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant’s cost. The utility companies are required to obtain the City’s approval before commencing construction.
- b. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

7. DESIGN AND CONSTRUCTION

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

8. SERVICING AGREEMENTS FOR WORKS AND SERVICES

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

9. CHARGES, FEES, AND SECURITIES

- a. Cash-in-lieu of construction payment to frontage upgrades:
 - i. Frontage Improvements \$148,951.70
 - ii. Engineering and Inspection Fee \$5,473.98
(\$5,213.31 + \$260.67 GST)
- b. Fees per the “Development Application Fees Bylaw” include:
 - i. Engineering and Inspection Fee: 3.5% of construction value of the off-site Works & Services performed by the applicant (plus GST)


 Nelson Chapman, P.Eng.
 Development Engineering Manager

CM



City of
Kelowna

Z23-0024 3256 Appaloosa Rd

Rezoning Application

Purpose

- ▶ To rezone the subject property from the A2 – Agriculture / Rural Residential (Non-ALR) zone to the I2 – General Industrial zone to facilitate industrial development

Development Process



Apr 21, 2023

Development Application Submitted

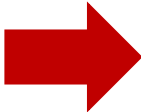


Staff Review & Circulation



July 19, 2023

Public Notification Received



Nov 6, 2023

Initial Consideration



Reading Consideration



Final Reading & DP



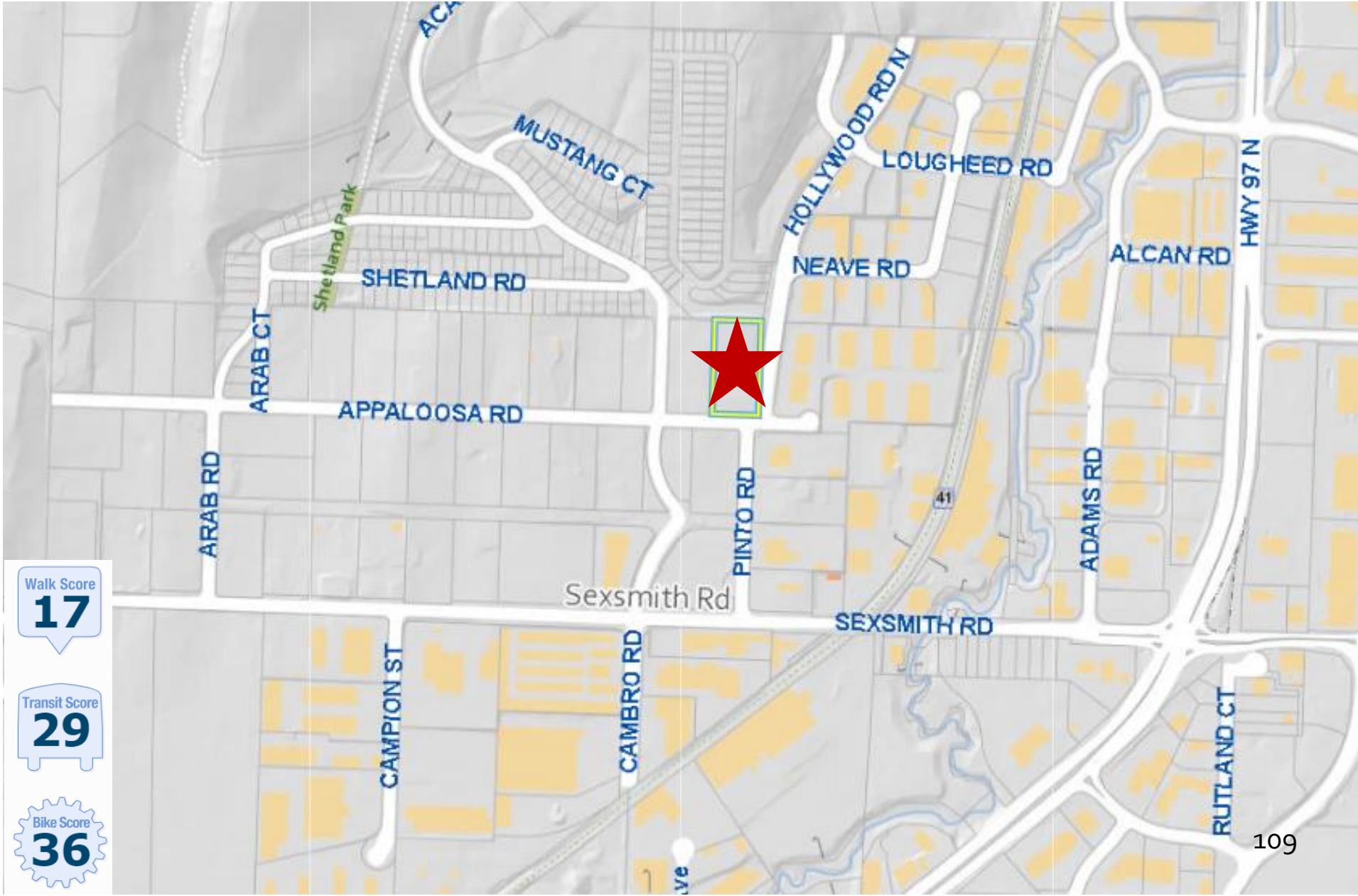
Building Permit



Council Approvals



Context Map

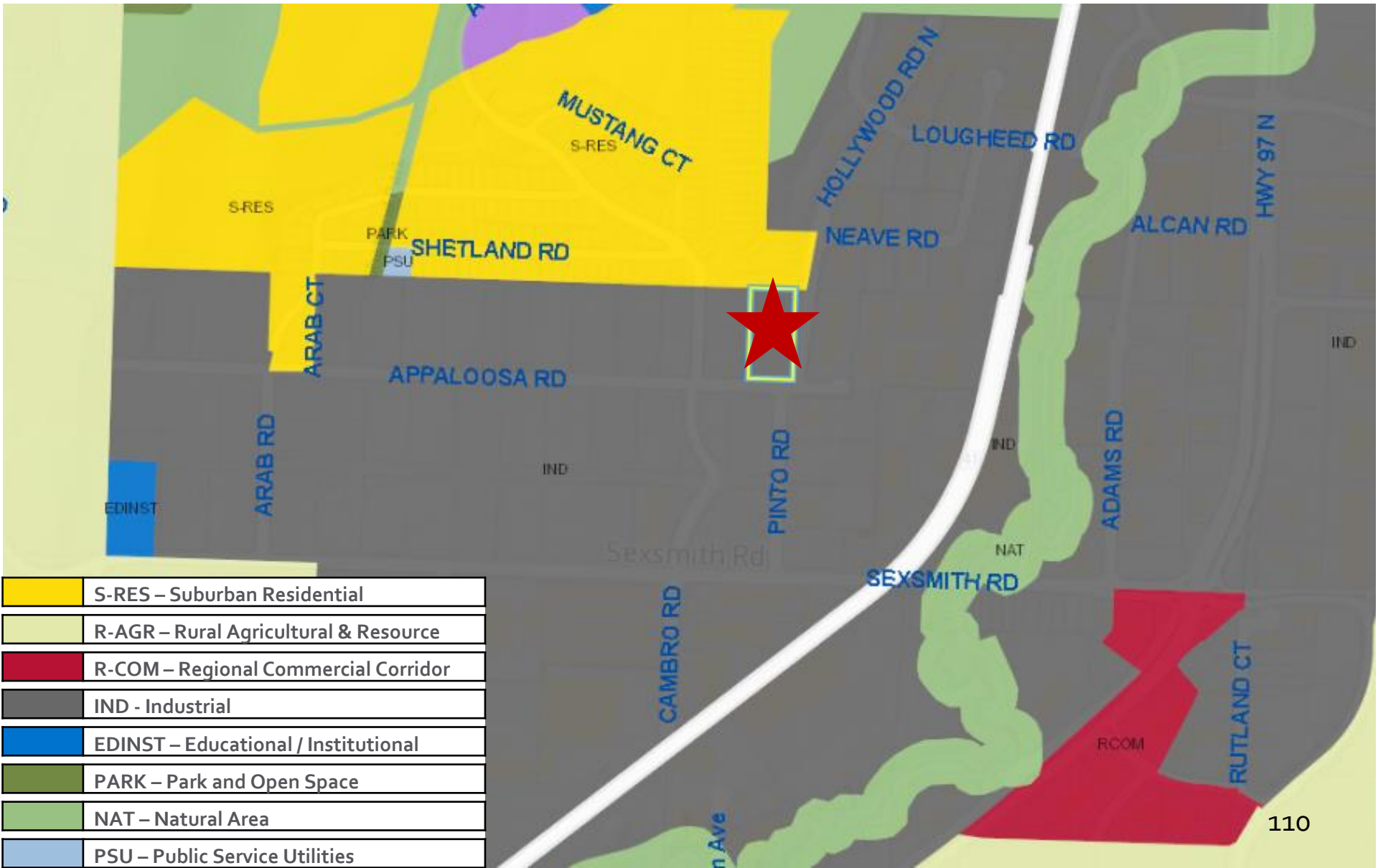










Walk Score
17

Transit Score
29

Bike Score
36

OCP Future Land Use

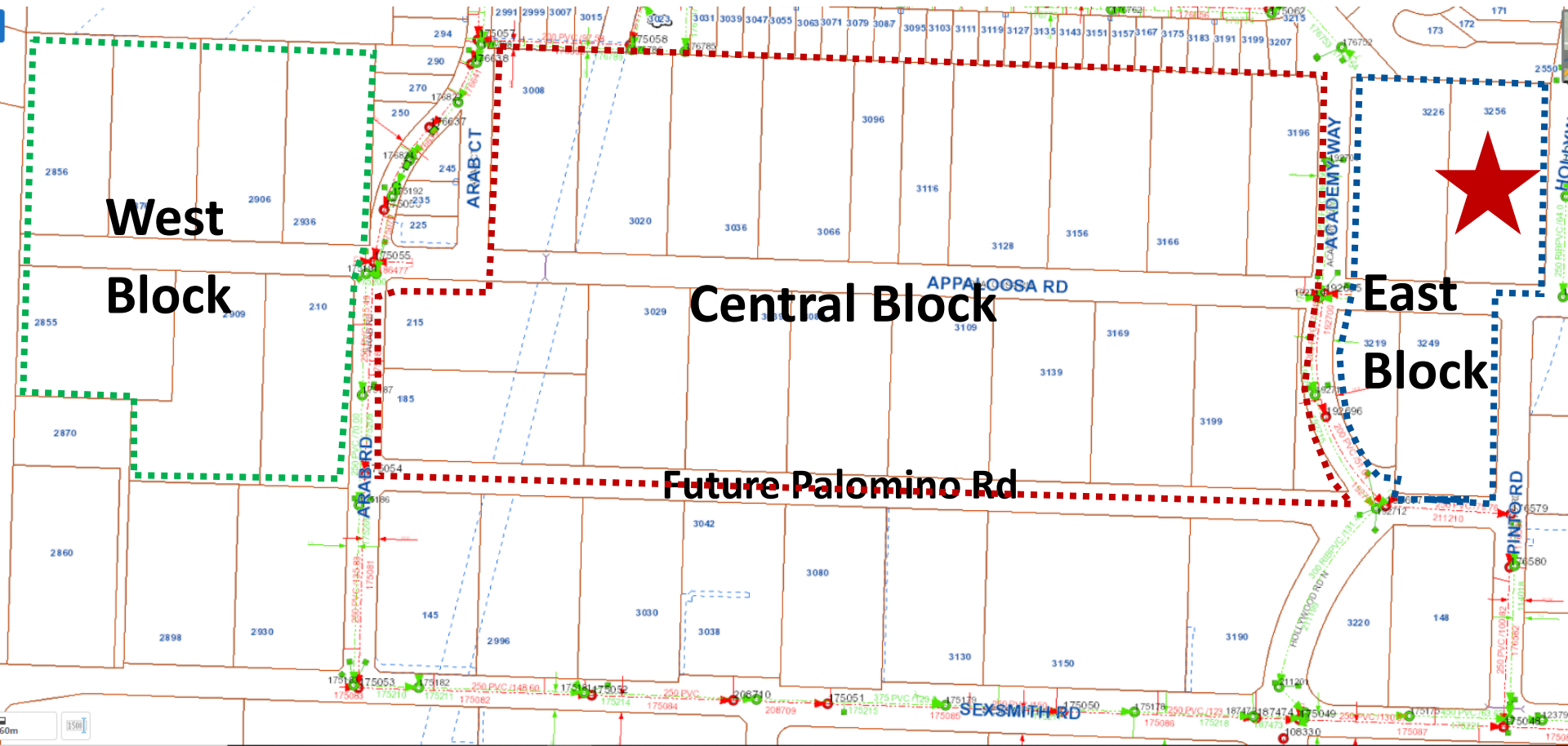


	S-RES – Suburban Residential
	R-AGR – Rural Agricultural & Resource
	R-COM – Regional Commercial Corridor
	IND - Industrial
	EDINST – Educational / Institutional
	PARK – Park and Open Space
	NAT – Natural Area
	PSU – Public Service Utilities

Subject Property Map



Project Background



West Block

Central Block

East Block

Future Palomino Rd



Project Details

- ▶ IND – Industrial
 - ▶ I2 – General Industrial
 - ▶ Single industrial building
 - ▶ Approx 2,973 m² footprint
 - ▶ Site access from Appaloosa Rd
 - ▶ Underground & surface infrastructure upgrades to Appaloosa Rd
 - ▶ Upgrades to Hollywood Rd

OCP Objectives & Policies

- ▶ **Policy 6.4.4: Industrial/Residential Interface**
 - ▶ Low impact industrial uses where industrial lands are adjacent to residential lands.

- ▶ **Policy 6.4.7: Industrial Employment**
 - ▶ Support development of industrial lands in the Gateway. Industrial activities play in meeting employment and service needs of the city and region.

Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning as it is consistent with:
 - ▶ OCP Future Land Use IND - Industrial
 - ▶ OCP Objectives in Chapter 6 Gateway
 - ▶ Industrial/Residential Interface
 - ▶ Industrial Employment
 - ▶ Development Permit to follow

Report to Council



Date: November 6, 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 October 23, 2023 with respect to one rezoning application;

AND THAT Rezoning Bylaw No. 12589 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaw No. 12589 and to give the bylaw 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:

This Rezoning Application was brought forward to Council for initial consideration on October 23, 2022. Notice of first reading was completed as outlined above.

Correspondence was received as per the following table:

Address	Application	Bylaw	Recommended Readings	Correspondence Received
4665 Fordham Road	Z23-0057	12589	1 st , 2 nd , 3 rd	0

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

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaw No. 12589 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: L. Klaamas, Legislative Technician

Approved for inclusion: S Fleming, City Clerk

cc: Development Planning

CITY OF KELOWNA
BYLAW NO. 12589
Z23-0057
4665 Fordham 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 20 District Lot 357 ODYD Plan 18457, located on Fordham Road, 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, 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 DEVELOPMENT PERMIT



Date: November 6, 2023
To: Council
From: City Manager
Address: 777 Denali Drive
File No.: DP23-0108
Zone: MF2 – Townhouse Housing with site-specific regulations

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP23-0108 for Lot 3 Section 28 Township 26 ODYD Plan KAP74074 Except Plan EPS7017 (Phases 1 and 2), located at 777 Denali Drive, Kelowna, BC subject to the following:

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

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

2.0 Purpose

To issue a Development Permit for the form and character of a proposed 3-storey apartment building on top of a 2-storey townhouse.

3.0 Development Planning

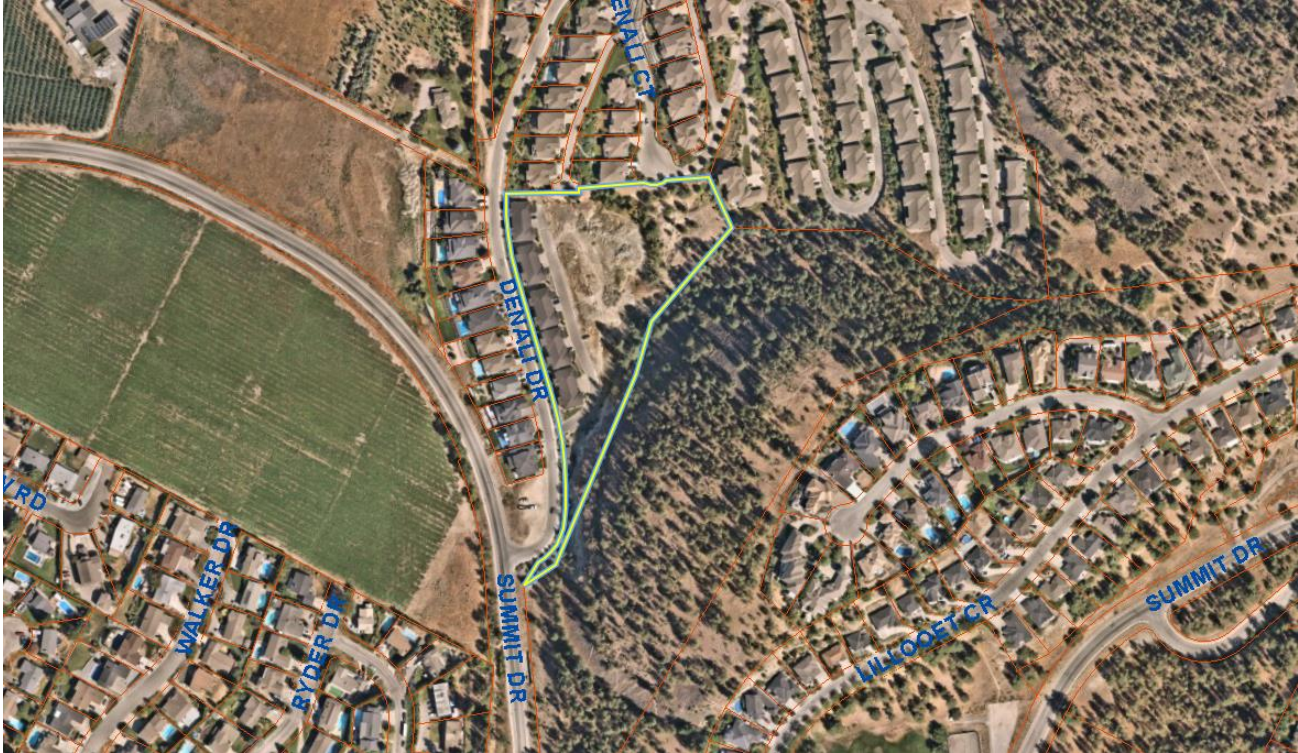
Staff support the proposed Development Permit for the form and character of a 3-storey apartment building on top of a 2-storey townhouse. The proposal aligns with the Official Community Plan (OCP) Form and Character design Guidelines for Low & Mid-Rise Residential Development. Key guidelines that are met include:

- Orienting building facades and entries to the fronting street or open space and incorporating individual entrances to ground floor units;
- Breaking up the perceived mass of large buildings by incorporating visual breaks in the façade;
- Stepping back the upper storeys of buildings;
- Designing buildings for 'up-slope' and 'down-slope' conditions relative the street using strategies such as using the slope for under-building parking; and
- Including attractive, engaging, and functional on-site open spaces.

Proposed materials include grey and white fibre cement panels, white stucco, and wood grain metal siding. Generous common amenity space includes a rooftop deck, a 3rd floor deck including a pool and hot tub, and indoor amenity spaces on the 3rd, 4th, and 5th storeys. On-site landscaping includes trees along the front of the building at ground-level and trees on the 3rd storey amenity deck.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located on Denali Drive, north of the intersection with Summit Drive and south of Denali Court. Transit stops are located within 200 m of the subject property at the intersection of Denali Drive and Summit Drive. A commercial plaza is located approximately 1 km away, at Glenmore Drive and Summit Drive.

4.2 Background

The subject property was previously zoned RM3 – Low Density Multiple Housing in Zoning Bylaw No. 8000 which allowed both apartment housing and townhouses as a permitted use. This zoning was carried forward in Zoning Bylaw No. 12375 by a site-specific text amendment which allows both 3-storey apartment building on top of a 2-storey townhouse in the MF2 – Townhouse Housing zone.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	19,823,2 m ²
Undevelopable Land (30% slope)	~7624 m ²
Total Number of Units	89
1-bed	29
2-bed	35
3-bed	15

DEVELOPMENT REGULATIONS		
CRITERIA	MF2* ZONE	PROPOSAL
Total Maximum Floor Area Ratio	1.0	0.64
Max. Site Coverage (buildings)	55%	31.3%
Max. Site Coverage (buildings, parking, driveways)	80%	47.6%
Max. Height	5 storeys	5 storeys
Setbacks		
Min. Front Yard (Denali Drive)	3.0 m	> 3.0 m
Min. Side Yard (north)	3.0 m	>3.0 m
Min. Side Yard (south)	3.0 m	>3.0 m
Min. Rear Yard (east)	4.5 m	>4.5m
Amenity Space		
Total Required Amenity Space	1685 m²	2634.5 m²
Common	356 m ²	1019.9 m ²
Private		1614.6 m ²
Landscaping		
Min. Number of Trees	13 trees	25 trees

PARKING REGULATIONS		
CRITERIA	MF2 ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	131 stalls	137
Residential	119	125
Visitor	12	12
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	98.5% Regular 1.4% Small
Bicycle Stalls Short-Term	6 stalls	6 stalls
Bicycle Stalls Long-Term	54 stalls	54 stalls
Bike Wash & Repair	y	y

6.0 Application Chronology

Application Accepted: May 25, 2023

Report prepared by: Graham Allison, Planner I
Mark Tanner, Planner II

Reviewed by: Lydia Korolchuk, Acting Planning Supervisor

Reviewed by: Jocelyn Black, Urban Planning Manager

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

Attachments:

- Attachment A: Draft Development Permit DP23-0108
 - Schedule A: Site Plan & Floor Plans
 - Schedule B: Elevations & Sections
 - Schedule C: Landscape Plan
- Attachment B: OCP Form and Character Development Permit Guidelines
- Attachment C: Applicant’s Rationale Letter
- Attachment D: Renderings

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

Development Permit

DP23-0108

ATTACHMENT A
This forms part of application
DP23-0108

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



This permit relates to land in the City of Kelowna municipally known as

777 Denali Drive

and legally known as

Lot 3 Section 28 Township 26 ODYD Plan KAP74074 Except Plan EPS7017 (Phases 1 and 2)

and permits the land to be used for the following development:

Townhouse Housing with site-specific Text Amendment

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Approval: November 6, 2023

Development Permit Area: Form & Character

Existing Zone: MF2 – Townhouse Housing

Future Land Use Designation: S-MU – Suburban - Multiple Unit

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

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Emil Anderson Construction Co. Ltd., Inc. No. C172775

Applicant: Emil Anderson Construction Co. Ltd.

Jocelyn Black
Urban Planning Manager
Planning & Development Services

Date of Issuance

1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

THAT Council authorizes the issuance of Development Permit No. DP23-0108 for Lot 3 Section 28 Township 26 ODYD Plan KAP74074 located at 777 Denali Drive Kelowna, BC, subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

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

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property owner of the day. Should the Developer carry out the development as per the conditions of this permit, the security shall be returned to the Developer or his or her designate following proof of Substantial Compliance as defined in Bylaw No. 12310. There is filed accordingly:

- a) An Irrevocable Letter of Credit **OR** certified cheque **OR** a Surety Bond in the amount of **\$127,325.00**

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**



PROJECT STATISTICS

777 DENALI DRIVE, KELOWNA BC, V1V 2P5
 PROPERTY LEGAL INFORMATION: PLAN KAP74074 LOT 3 SECTION 28 TOWNSHIP 26 ODDY
 CURRENT ZONE: MF2
 FUTURE LAND USE: S-MU (SUBURBAN - MULTIPLE UNIT)
 PROPOSED USE: APARTMENT HOUSING & TOWNHOMES

ITEM	REQUIRED	PROVIDED
HEIGHT	MAX. 3 STOREYS / 11.0m	3 STOREYS / 10.0m
LOT AREA	-	19,823.2 m ²
FLOOR SPACE RATIO	MAX. 1.25 FAR	0.4 FAR
BUILDING SITE COVERAGE	MAX. 55.0%	31.3% (6197.6 m ²)
BUILDING & IMPERMEABLE SITE COVERAGE	MAX. 80.0%	47.6% (9430.2 m ²)
SEPARATION DISTANCE BETWEEN BUILDINGS	MIN. 3.0 m	49.4 m
CONTIGUOUS BUILDING FRONTAGE	MAX. 100.0 m	49.4 m
0. LOT SIZE		
LOT AREA	MIN. 900.0 m ²	19,823 m ²
LOT WIDTH	MIN. 20.0 m	239.5 m
LOT DEPTH	MIN. 30.0 m	123.1 m
1. SETBACKS		
FRONT YARD (WEST)	3.0m	>3.0 m
SIDE YARD (NORTH)	3.0m	>3.0 m
SIDE YARD (SOUTH)	3.0m	>3.0 m
REAR YARD (EAST)	4.5m	>4.5 m
2. FLOOR SPACE RATIO		
LOT AREA	-	19,823 m ²
GROSS FLOOR AREA	-	15,396.7 m ²
NET FLOOR AREA	MAX. 24,779.0 m ²	7840.0 m ²
FLOOR AREA RATIO	MAX. 1.25 FAR	0.4 FAR
3. BUILDING SITE COVERAGE		
LOT AREA	-	19,823 m ²
BUILDING SITE COVERAGE	55.0% MAX	31.3% (6197.6 m ²)
BUILDING & IMPERMEABLE SITE COVERAGE	80.0% MAX	47.6% (9430.2 m ²)

ITEM	REQUIRED	PROVIDED
4. DENSITY		
1 BED APARTMENT	-	29
2 BED APARTMENT	-	29
2 BED + DEN APARTMENT	-	6
3 BED APARTMENT	-	6
3 BED TOWNHOUSE	-	9
TOTAL NEW DWELLING UNITS	-	79
EXISTING DUPLEX	-	10
TOTAL DWELLING UNITS	-	89
5. PARKING		
STANDARD PARKING - 1 BEDROOM	MIN. 1.25 / MAX. 1.5 (MIN. 36.25 / MAX. 54)	-
STANDARD PARKING - 2 BEDROOM	MIN. 1.5 / MAX. 2.0 (MIN. 45.5 / MAX. 58)	-
STANDARD PARKING - 2 BEDROOM + DEN	MIN. 2.0 / MAX. 2.5 (MIN. 12 / MAX. 15)	-
STANDARD PARKING - 3 BEDROOM	MIN. 2.0 / MAX. 2.5 (MIN. 30 / MAX. 37.5)	-
STANDARD PARKING - TOTAL	122	126 STALLS
VISITOR PARKING	MIN. 0.14 / MAX. 0.2 (MIN. 11 / MAX. 16)	11 STALLS
TOTAL PARKING	133 STALLS	137 STALLS
SMALL CAR PARKING	MAX. 50%	2 STALLS
ACCESSIBLE PARKING	4 STALLS	4 STALLS
VAN ACCESSIBLE PARKING	1 STALL	1 STALL
6. BICYCLE PARKING		
LONG-TERM BICYCLE PARKING - 1-2 BEDROOM	MIN. 0.75 (48)	-
LONG-TERM BICYCLE PARKING (LONG-TERM) - 3+ BEDROOM	MIN. 1.0 (6)	-
TOTAL LONG-TERM BICYCLE PARKING	54 STALLS	54 STALLS
TOTAL SHORT-TERM BICYCLE PARKING	6 STALLS / ENTRANCE	6 STALLS
7. AMENITY SPACE		
1 BEDROOM	MIN. 15.0 m ² / UNIT (435.0 m ²)	-

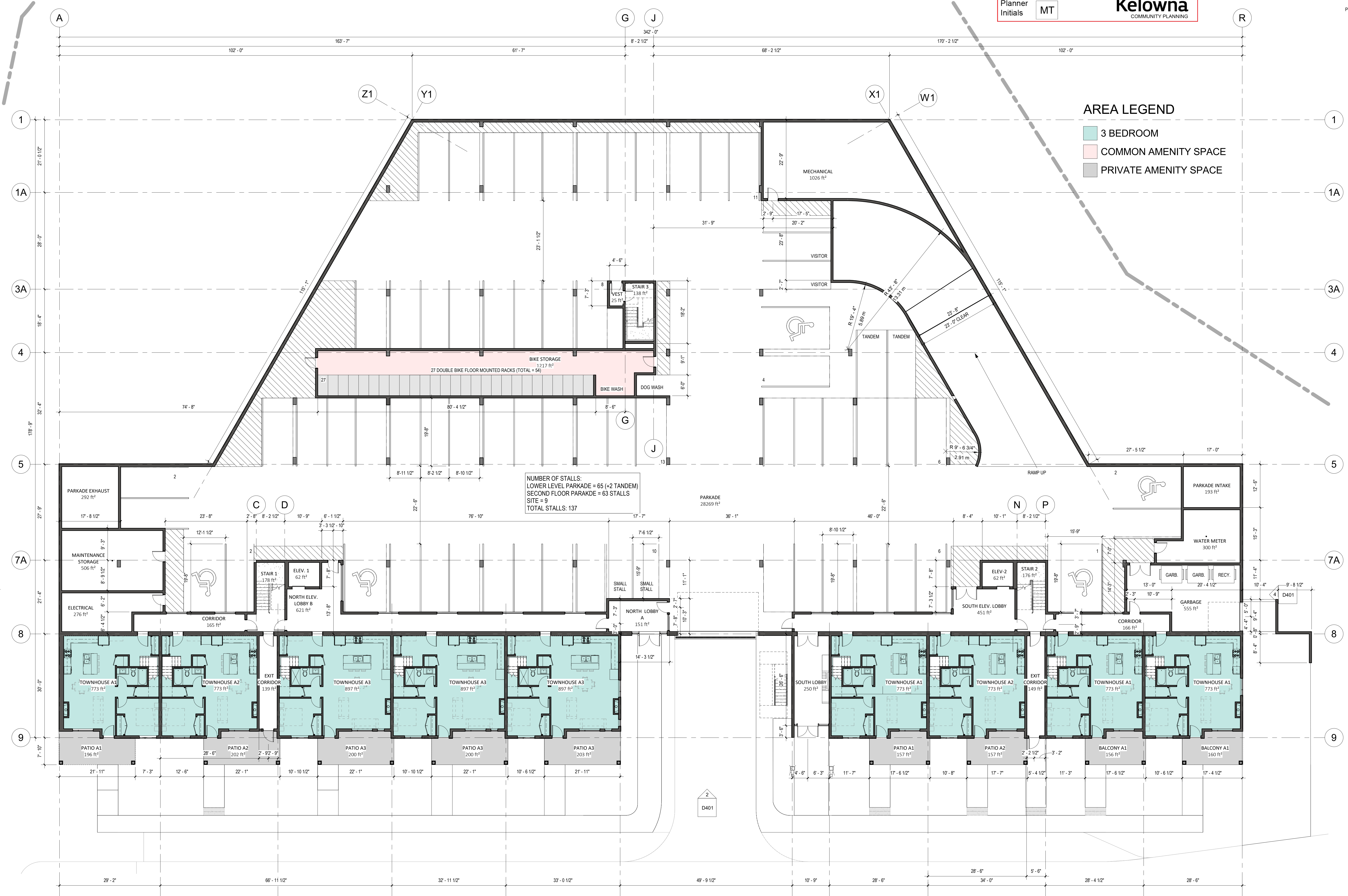
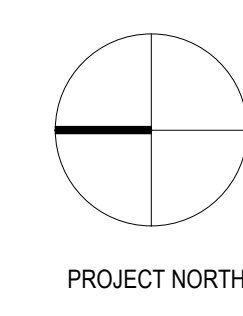
BUILDING FLOOR AREA (GFA)		
FLOOR LEVEL	AREA (m ²)	AREA (m ²)
PARKADE LEVEL 1 / TOWNHOUSE MAIN FLOOR	4417 m ²	4292.6 m ²
PARKADE LEVEL 2	4381 m ²	4070.2 m ²
APARTMENT MAIN FLOOR	25931 m ²	2409.0 m ²
APARTMENT SECOND FLOOR	25931 m ²	2409.0 m ²
APARTMENT THIRD FLOOR	25931 m ²	2409.0 m ²
GROSS FLOOR AREA	165721 m ²	15396.0 m ²

UNIT SUITE INSTANCES			
COUNT	SUITE TYPE	AREA	BEDROOMS
APARTMENT MAIN FLOOR			
6	UNIT A1	5461 m ²	1 BEDROOM
1	UNIT B1	820 m ²	1 BEDROOM + DEN
3	UNIT C1	2682 m ²	2 BEDROOM
2	UNIT C2	2171 m ²	2 BEDROOM
2	UNIT C3	2118 m ²	2 BEDROOM
2	UNIT D1	1950 m ²	2 BEDROOM
2	UNIT D2	2369 m ²	2 BEDROOM + DEN
2	UNIT E1	2487 m ²	3 BEDROOM
22		20958 m ²	
APARTMENT SECOND FLOOR			
6	UNIT A1	5461 m ²	1 BEDROOM
2	UNIT B1	1640 m ²	1 BEDROOM + DEN
4	UNIT C1	3575 m ²	2 BEDROOM
2	UNIT C2	2171 m ²	2 BEDROOM
2	UNIT C3	2118 m ²	2 BEDROOM
2	UNIT D1	1950 m ²	2 BEDROOM
2	UNIT D2	2369 m ²	2 BEDROOM + DEN
2	UNIT E1	2487 m ²	3 BEDROOM
24		21770 m ²	
APARTMENT THIRD FLOOR			
6	UNIT A1	5461 m ²	1 BEDROOM
2	UNIT B1	1640 m ²	1 BEDROOM + DEN
4	UNIT C1	3576 m ²	2 BEDROOM
2	UNIT C2	2171 m ²	2 BEDROOM
2	UNIT C3	2118 m ²	2 BEDROOM
2	UNIT D1	1950 m ²	2 BEDROOM
2	UNIT D2	2369 m ²	2 BEDROOM + DEN
2	UNIT E1	2487 m ²	3 BEDROOM
24		21772 m ²	
70		63000 m ²	

SCHEDULE A
 This forms part of application
 # DP23-0108

Planner Initials **MT**



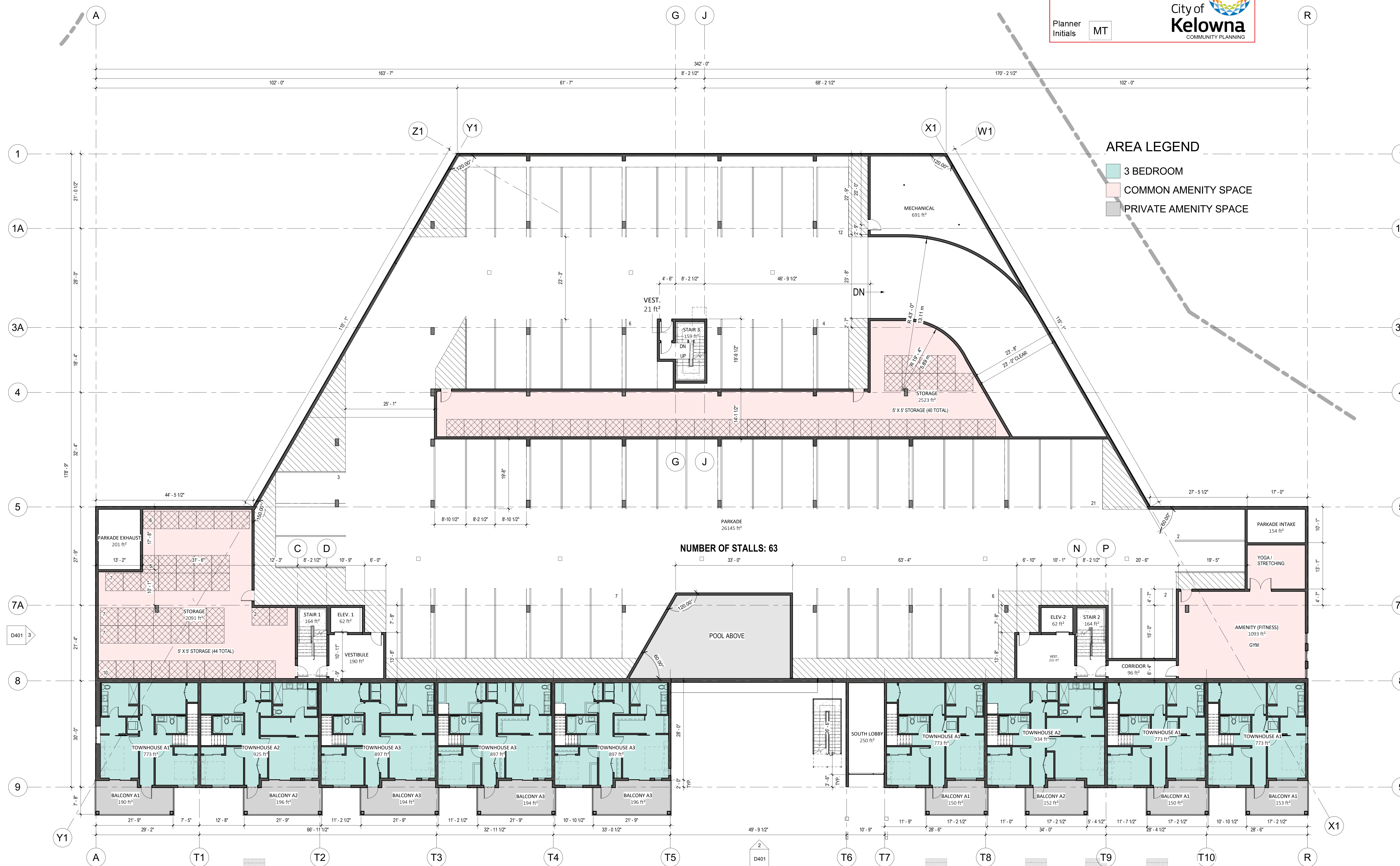
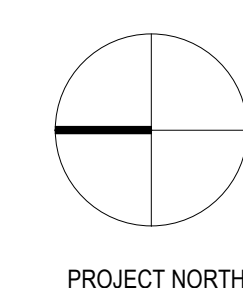


AREA LEGEND

- 3 BEDROOM
- COMMON AMENITY SPACE
- PRIVATE AMENITY SPACE

NUMBER OF STALLS:
 LOWER LEVEL PARKADE = 65 (+2 TANDEM)
 SECOND FLOOR PARKADE = 63 STALLS
 SITE = 9
 TOTAL STALLS: 137





AREA LEGEND

- 3 BEDROOM
- COMMON AMENITY SPACE
- PRIVATE AMENITY SPACE

NUMBER OF STALLS: 63

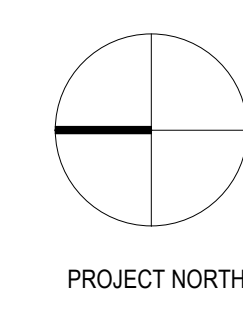
PARAKDE LEVEL 2 / TOWNHOUSE SECOND FLOOR



DENALI APARTMENTS & TOWNHOUSES
 777 DENALI DRIVE KELOWNA, BC V1V 2P5

ISSUED FOR DEVELOPMENT PERMIT
 ON 2023/04/14

DRAWING: **D202**
 PROJECT: 17176
 SCALE: 3/32" = 1'-0"



- AREA LEGEND**
- 1 BEDROOM
 - 1 BEDROOM + DEN
 - 2 BEDROOM
 - 2 BEDROOM + DEN
 - 3 BEDROOM
 - COMMON AMENITY SPACE
 - PRIVATE AMENITY SPACE



SCHEDULE A

This forms part of application
DP23-0108

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



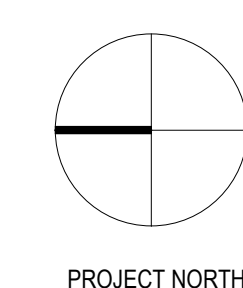
APARTMENT MAIN FLOOR PLAN

DENALI APARTMENTS & TOWNHOUSES
777 DENALI DRIVE KELOWNA, BC V1V 2P5

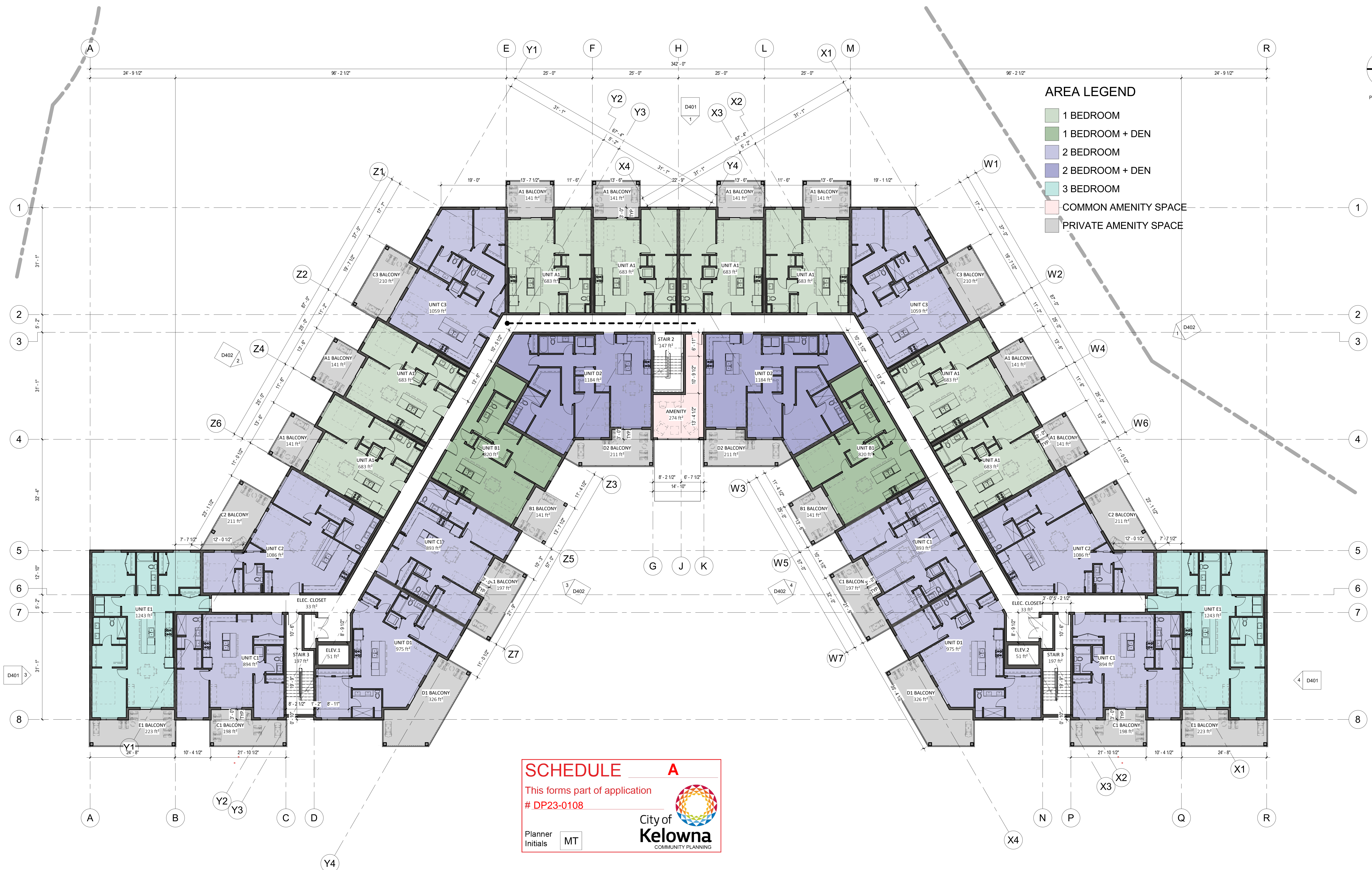
DRAWING: **D203**

ISSUED FOR DEVELOPMENT PERMIT
ON 2023/04/14

PROJECT: 17176
SCALE: 3/32" = 1'-0"



- AREA LEGEND**
- 1 BEDROOM
 - 1 BEDROOM + DEN
 - 2 BEDROOM
 - 2 BEDROOM + DEN
 - 3 BEDROOM
 - COMMON AMENITY SPACE
 - PRIVATE AMENITY SPACE



SCHEDULE A

This forms part of application
DP23-0108

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



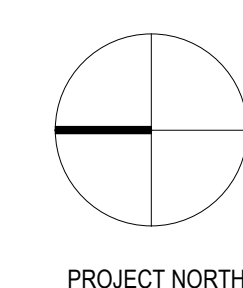
APARTMENT SECOND FLOOR PLAN

DENALI APARTMENTS & TOWNHOUSES
777 DENALI DRIVE KELOWNA, BC V1V 2P5

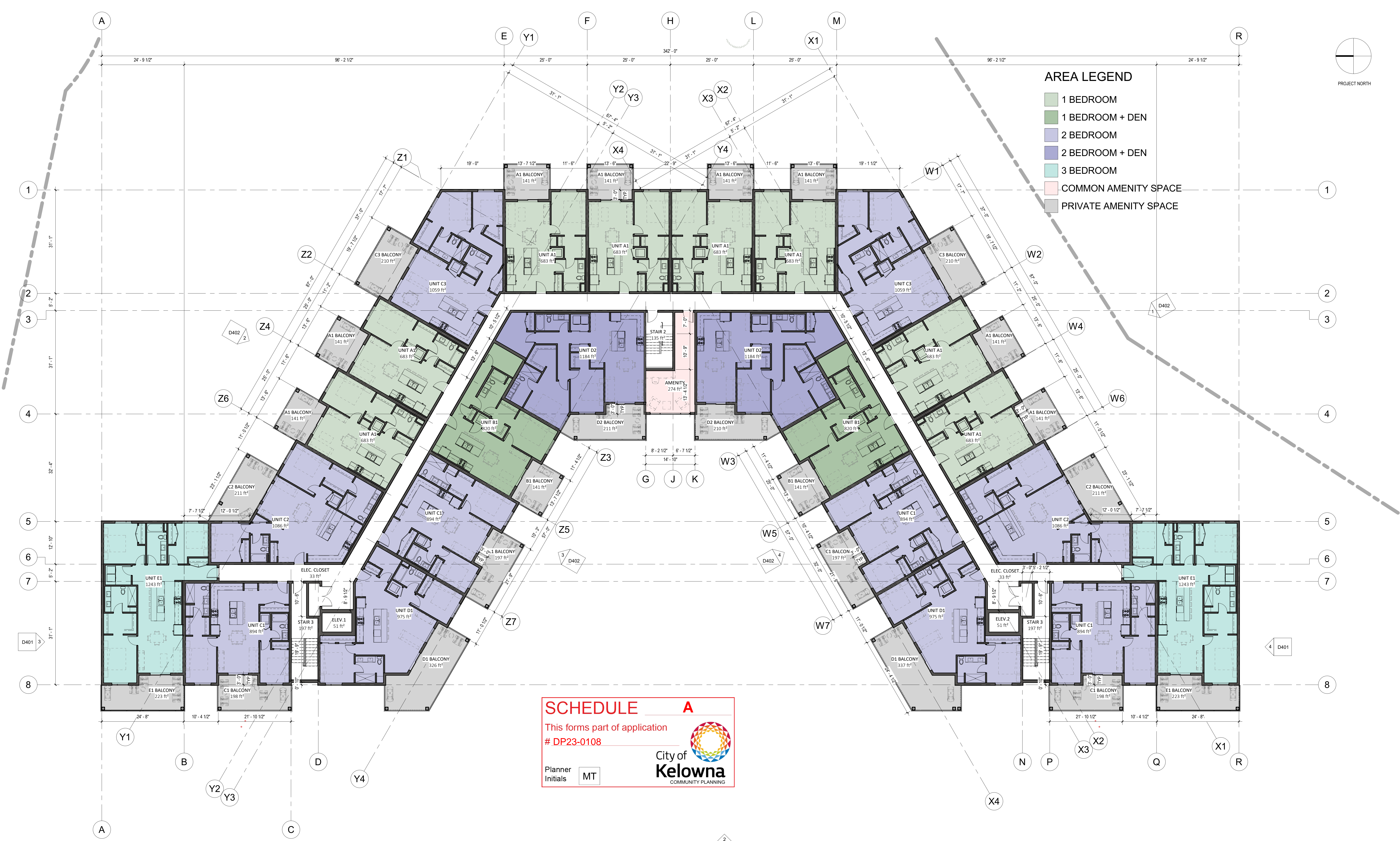
ISSUED FOR DEVELOPMENT PERMIT
ON 2023/04/14

DRAWING: **D204**

PROJECT: 17176
SCALE: 3/32" = 1'-0"



- AREA LEGEND**
- 1 BEDROOM
 - 1 BEDROOM + DEN
 - 2 BEDROOM
 - 2 BEDROOM + DEN
 - 3 BEDROOM
 - COMMON AMENITY SPACE
 - PRIVATE AMENITY SPACE



SCHEDULE A
 This forms part of application
 # DP23-0108

Planner Initials **MT**



City of Kelowna
COMMUNITY PLANNING

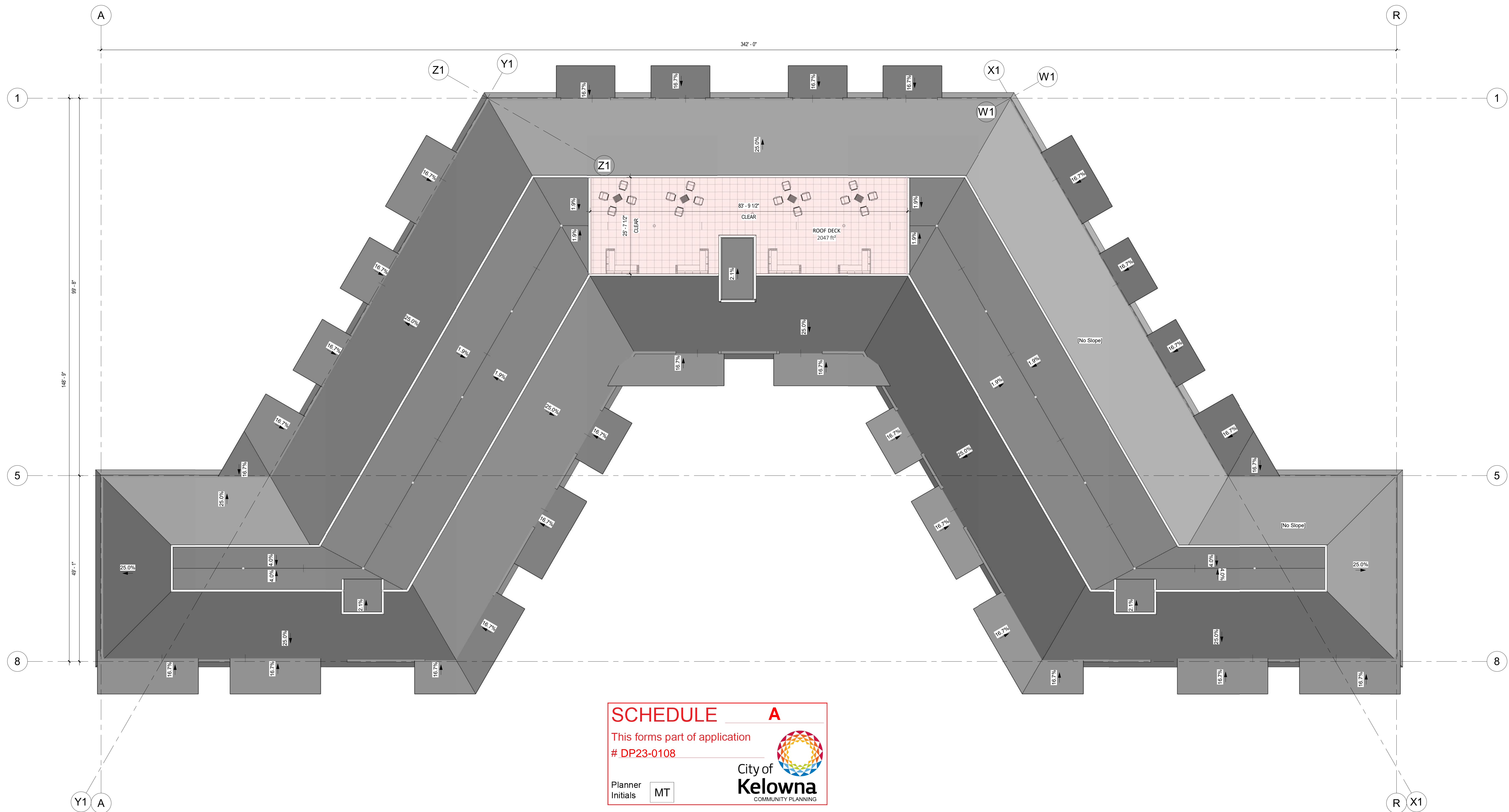
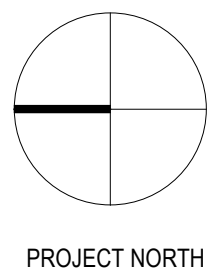


APARTMENT THIRD FLOOR PLAN

DENALI APARTMENTS & TOWNHOUSES
 777 DENALI DRIVE KELOWNA, BC V1V 2P5

ISSUED FOR DEVELOPMENT PERMIT
 ON 2023/04/14

DRAWING: **D205**
 PROJECT: 17176
 SCALE: 3/32" = 1'-0"



SCHEDULE A

This forms part of application
DP23-0108

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



ROOF PLAN

DENALI APARTMENTS & TOWNHOUSES
777 DENALI DRIVE KELOWNA, BC V1V 2P5

ISSUED FOR DEVELOPMENT PERMIT
ON 2023/04/14

DRAWING: **D206**

PROJECT: 17176
SCALE: 3/32" = 1'-0"



1 NORTH ELEVATION
D003 SCALE: 3/32" = 1'-0"



2 SOUTH ELEVATION
D001 SCALE: 3/32" = 1'-0"



4 EAST ELEVATION
A101 SCALE: 3/32" = 1'-0"



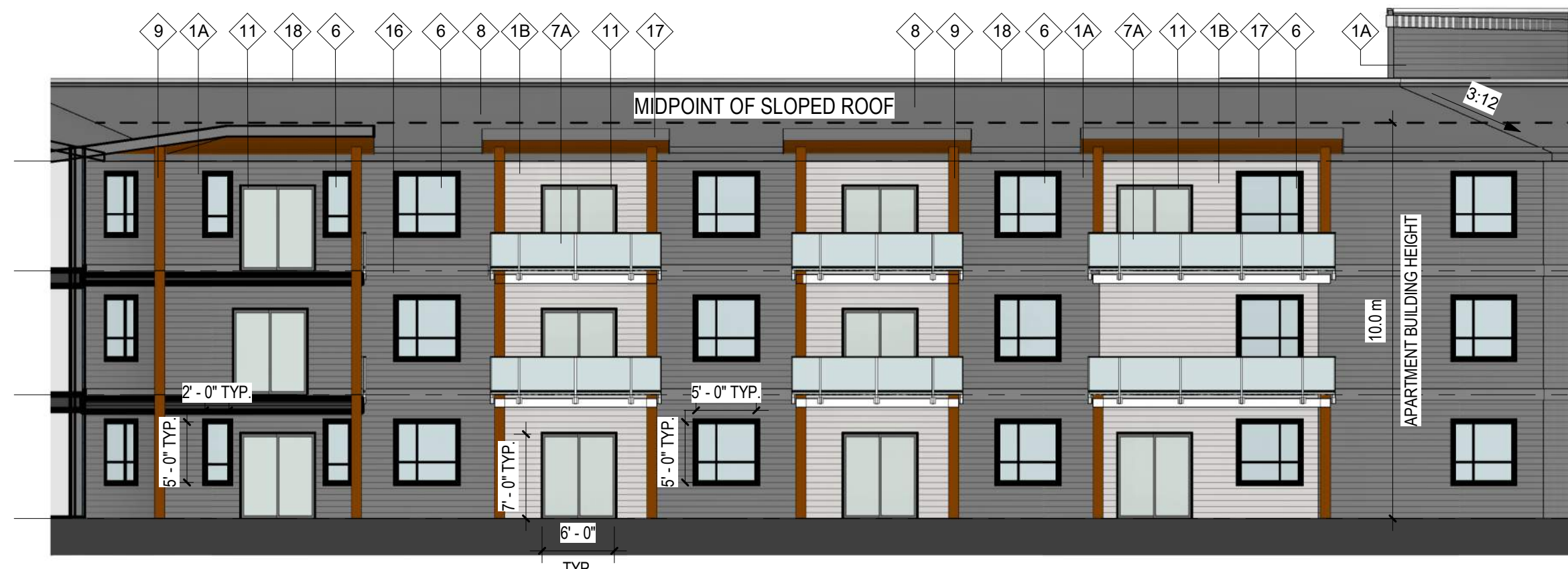
3 WEST ELEVATION
D001 SCALE: 3/32" = 1'-0"

EXTERIOR FINISH LEGEND

- 1A FIBER CEMENT PANEL (HORIZONTAL)
COLOUR: DARK GREY
- 1B FIBER CEMENT PANEL (HORIZONTAL)
COLOUR: WHITE
- 2 FIBER CEMENT PANEL (VERTICAL BOARD & BATTEN)
COLOUR: WHITE
- 3 ACRYLIC STUCCO
COLOUR: WHITE
- 4 METAL SIDING (HORIZONTAL)
COLOUR: WOOD GRAIN
- 5 MANUFACTURED STONE
- 6 CLEAR GLAZING IN BLACK PVC FRAME
- 7A 3" HIGH BLACK ALUMINUM RAILING C/W GLASS PANELS
- 7B 3" HIGH BLACK ALUMINUM RAILING C/W TINTED GLASS PANELS
- 8 ROOF SHINGLE
COLOUR: DARK GREY
- 9 COLUMN CLAD IN PVC CLADDING
COLOUR: WOOD GRAIN
- 11 CLEAR GLAZING DOORS IN BLACK PVC FRAMES
- 12 WOOD TRELLIS
- 13 OVERHEAD DOOR
COLOUR: WOOD GRAIN
- 14 TIMBERFRAME CANOPY
- 15A BUILDING SIGNAGE
TYPE: ALUMINUM CHANNEL LETTERS
FONT: ROBOTO MEDIUM
HEIGHT: 1'-6"
DEPTH: 4"
COLOUR: DARK GREY
- 15B BUILDING SIGNAGE
TYPE: ALUMINUM CHANNEL LETTERS
FONT: ROBOTO MEDIUM
HEIGHT: 8"
DEPTH: 4"
COLOUR: DARK GREY
- 16 WALL TRIM
COLOUR: TO MATCH SIDING
- 17 FASCIA BOARD
COLOUR: DARK GREY
- 18 PREFINISHED METAL FLASHING
COLOUR: DARK GREY
- 19 METAL SOFFIT (HORIZONTAL)
COLOUR: WOOD GRAIN
- 20 CONCRETE PEDASTAL
- 22 FLUSH STEEL DOORS
COLOUR: PAINTED TO MATCH EXTERIOR SIDING

SCHEDULE B
This forms part of application
DP23-0108
Planner Initials MT
City of Kelowna
COMMUNITY PLANNING





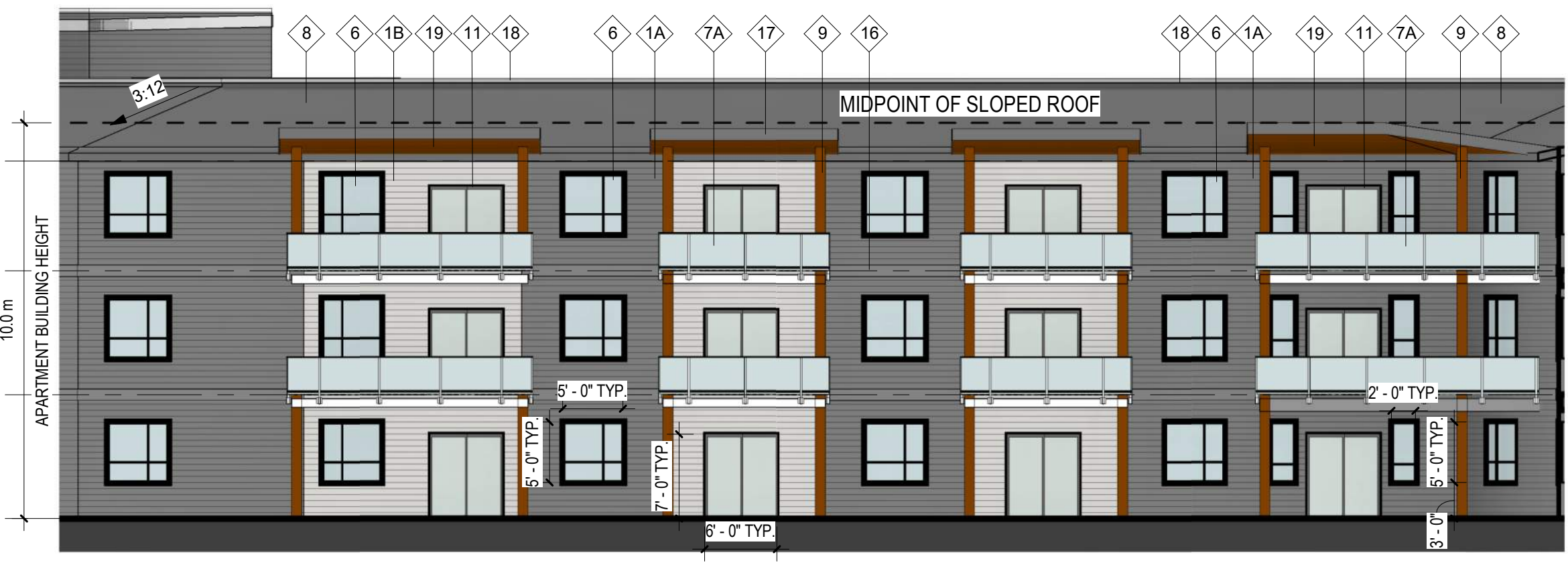
1 NORTH-EAST ELEVATION
SCALE: 3/32" = 1'-0"

APARTMENT - U/S ROOF TRUSS
(GEO 459.53m) 53' - 7 5/8"

APARTMENT THIRD FLOOR
(GEO 457.26m) 44' - 6 1/2"

APARTMENT SECOND FLOOR
(GEO 454.13m) 34' - 3 1/4"

APARTMENT MAIN FLOOR
(GEO 451.00m) 24' - 0"



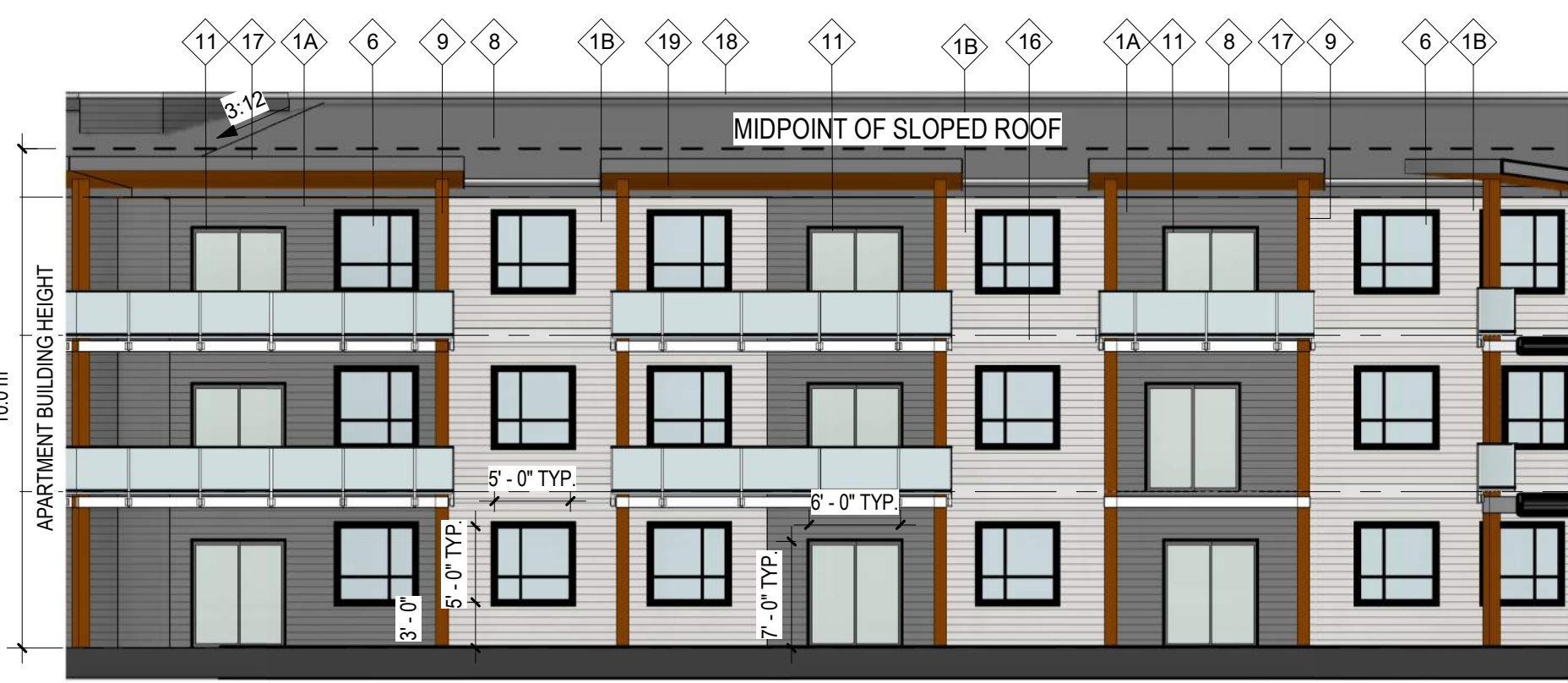
2 NORTH-WEST ELEVATION
SCALE: 3/32" = 1'-0"

APARTMENT - U/S ROOF TRUSS
(GEO 459.53m) 53' - 7 5/8"

APARTMENT THIRD FLOOR
(GEO 457.26m) 44' - 6 1/2"

APARTMENT SECOND FLOOR
(GEO 454.13m) 34' - 3 1/4"

APARTMENT MAIN FLOOR
(GEO 451.00m) 24' - 0"



3 SOUTH-WEST ELEVATION
SCALE: 3/32" = 1'-0"

APARTMENT - U/S ROOF TRUSS
(GEO 459.53m) 53' - 7 5/8"

APARTMENT THIRD FLOOR
(GEO 457.26m) 44' - 6 1/2"

APARTMENT SECOND FLOOR
(GEO 454.13m) 34' - 3 1/4"

APARTMENT MAIN FLOOR
(GEO 451.00m) 24' - 0"



4 SOUTH-EAST ELEVATION
SCALE: 3/32" = 1'-0"

APARTMENT - U/S ROOF TRUSS
(GEO 459.53m) 53' - 7 5/8"

APARTMENT THIRD FLOOR
(GEO 457.26m) 44' - 6 1/2"

APARTMENT SECOND FLOOR
(GEO 454.13m) 34' - 3 1/4"

APARTMENT MAIN FLOOR
(GEO 451.00m) 24' - 0"

EXTERIOR FINISH LEGEND

- 1A FIBER CEMENT PANEL (HORIZONTAL)
COLOUR: DARK GREY
- 1B FIBER CEMENT PANEL (HORIZONTAL)
COLOUR: WHITE
- 2 FIBER CEMENT PANEL (VERTICAL BOARD & BATTEN)
COLOUR: WHITE
- 3 ACRYLIC STUCCO
COLOUR: WHITE
- 4 METAL SIDING (HORIZONTAL)
COLOUR: WOOD GRAIN
- 5 MANUFACTURED STONE
- 6 CLEAR GLAZING IN BLACK PVC FRAME
- 7A 3'-6" HIGH BLACK ALUMINUM RAILING CWV GLASS PANELS
- 7B 3'-6" HIGH BLACK ALUMINUM RAILING CWV TINTED GLASS PANELS
- 8 ROOF SHINGLE
COLOUR: DARK GREY
- 9 COLUMN GLAZING IN PVC CLADDING
COLOUR: WOOD GRAIN
- 11 CLEAR GLAZING DOORS IN BLACK PVC FRAMES
- 12 WOOD TRELLIS
- 13 OVERHEAD DOOR
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HEIGHT: 1'-8"
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- 15A BUILDING SIGNAGE
TYPE: ALUMINUM CHANNEL LETTERS
FONT: ROBOTO MEDIUM
HEIGHT: 8"
DEPTH: 4"
COLOUR: DARK GREY
- 15B BUILDING SIGNAGE
TYPE: ALUMINUM CHANNEL LETTERS
FONT: ROBOTO MEDIUM
HEIGHT: 8"
DEPTH: 4"
COLOUR: DARK GREY
- 16 WALL TRIM
COLOUR: TO MATCH SIDING
- 17 FASCIA BOARD
COLOUR: DARK GREY
- 18 PREFINISHED METAL FLASHING
COLOUR: DARK GREY
- 19 METAL SOFFIT (HORIZONTAL)
COLOUR: WOOD GRAIN
- 20 CONCRETE PEDASTAL
- 22 FLUSH STEEL DOORS
COLOUR: PAINTED TO MATCH EXTERIOR SIDING

SCHEDULE B

This forms part of application
DP23-0108

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



SCHEDULE B

This forms part of application
DP23-0108

Planner
Initials MT



- 1A FIBER CEMENT PANEL (HORIZONTAL)
COLOUR: DARK GREY
- 1B FIBER CEMENT PANEL (HORIZONTAL)
COLOUR: WHITE
- 2 FIBER CEMENT PANEL (VERTICAL BOARD AND BATTEN)
COLOUR: WHITE
- 3 ACRYLIC STUCCO
COLOUR: WHITE
- 4 METAL SIDING (HORIZONTAL)
COLOUR: WOOD GRAIN
- 5 MANUFACTURED STONE
- 6 CLEAR GLAZING IN BLACK FRAMES
- 7A 3'-6" HIGH BLACK ALUMINUM RAILING C/W GLASS PANELS
- 8 ROOF SHINGLE
COLOUR: DARK GREY





RESTORATION PLANTINGS

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE/SPACING & REMARKS
TREES				
PP01	30	PINUS PONDEROSA	PONDEROSA PINE	2.0M HT. MIN/0-1.51mm DIAMETER
PP02	12	PINUS PONDEROSA	PONDEROSA PINE	2.0M HT. MIN/152-304mm DIAMETER
PP03	4	PINUS PONDEROSA	PONDEROSA PINE	2.0M HT. MIN/305-456mm DIAMETER

PLANT LIST

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE/SPACING & REMARKS
TREES				
APA	10	ACER PALMATUM 'BLOODGOOD'	BLOODGOOD JAPANESE MAPLE	3m CAL
GTR	9	GLEDITSIA TRIACANTHOS VAR INERMIS	THORNLESS HONEYLOCUST	5m CAL
PTR	6	POPULUS TREMULOIDES 'ERECTA'	COLUMNAR SWEDISH ASPEN	4m CAL
SHRUBS				
CAL	13	CORNUS ALBA 'RAIHALO'	IVORY HALO DOGWOOD	#02 CONT. /1.5M O.C. SPACING
CST	30	CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE DOGWOOD	#02 CONT. /1.0M O.C. SPACING
CDA	12	COTONEASTER DAMMERI 'CORAL BEAUTY'	CORAL BEAUTY COTONEASTER	#02 CONT. /1.75M O.C. SPACING
EAL	13	EUNYMIUS ALIATUS 'SELECT'	FIREBALL BURNING BUSH	#02 CONT. /1.5M O.C. SPACING
JSA	20	JUNIPERUS SABINA 'MONNIA'	CALGARY CARPET JUNIPER	#02 CONT. /1.25M O.C. SPACING
PSN	30	PHILADELPHUS 'SNOWBELLE'	SNOWBELLE MOCKORANGE	#02 CONT. /1.0M O.C. SPACING
POP	21	PHYSCARPUS OPILOIDES 'BERT'S DART'S GOLD'	FESTIVAL GOLD NINEBARK	#02 CONT. /1.2M O.C. SPACING
PST	30	PINUS STROBUS 'BLUE SHAG'	BLUE SHAG EASTERN WHITE PINE	#02 CONT. /1.0M O.C. SPACING
WFL	21	WEIGELA FLORIDA 'SONIC BLOOM RED'	SONIC BLOOM RED WEIGELA	#02 CONT. /1.2M O.C. SPACING
PERENNIALS & ORNAMENTAL GRASSES				
ACL	100	ALLIUM 'GLOBEMASTER'	ORNAMENTAL ONION	BULBS
AUV	31	ARCTOSTAPHYLOS UVA-URSI	KINKINICK	#01 CONT. /0.6M O.C. SPACING
AH	31	ATHYRIUM FILIX-FEMINA 'LADY IN RED'	LADY IN RED FERN	#01 CONT. /0.6M O.C. SPACING
CAC	20	CAJAMAACROSTIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	#01 CONT. /0.75M O.C. SPACING
EDU	11	EUPATORIUM DUBIUM 'LITTLE JOE'	LITTLE JOE DWARF JOE PYE WEED	#01 CONT. /1.0M O.C. SPACING
EMA	8	EUPATORIUM MACULATUM 'GATEWAY'	SPOTTED JOE PYE WEED	#01 CONT. /1.2M O.C. SPACING
HMA	20	HAKONECHLOA MACRA 'AUREA'	GOLDEN JAPANESE FOREST GRASS	#01 CONT. /0.75M O.C. SPACING
HFO	31	HOSTIA FORJUNEI 'AUREO MARGINATA'	VARIEGATED HOSTIA	#01 CONT. /0.6M O.C. SPACING
HOS	14	HOSTIA 'SUNDANCE'	SUNDANCE HOSTIA	#01 CONT. /0.9M O.C. SPACING
ICE	31	IRIS GERMANICA 'CHAMPAGNE ELEGANCE'	CHAMPAGNE ELEGANCE IRIS	#01 CONT. /0.6M O.C. SPACING
KFI	20	KNIPHOFIA 'FIRE DANCE'	FIRE DANCE RED HOT POKER	#01 CONT. /0.75M O.C. SPACING
LPI	14	LAVANDULA X INTERMEDIA 'GROSSO'	FAT SPIKE LAVENDER	#01 CONT. /0.9M O.C. SPACING
LUP	70	LUPINUS RUSSEL MIX	RUSSEL'S MIX LUPINE	#01 CONT. /0.4M O.C. SPACING
PAL	12	PENNISETUM ALOPECUROIDES	FOUNTAIN GRASS	#01 CONT. /1.0M O.C. SPACING
ROF	31	ROSMARINUS OFFICINALIS 'PROSTRATUS'	CREeping ROSEMARY	#01 CONT. /0.6M O.C. SPACING
SSP	31	SEDUM SPECTABILE 'AUTUMN JOY'	AUTUMN JOY STONECROP	#01 CONT. /0.6M O.C. SPACING

HYDROSEED SPECIFICATION

PREMIER QUICK GROW RECLAMATION MIXTURE

ANNUAL RYEGRASS	15%
PERENNIAL RYEGRASS	12%
CREeping RED FESCUE	10%
TIMOTHY	5%
ALSIKE CLOVER	3%
SINGLE CUT RED CLOVER	5%
FALL RYE	50%

SEED	PREMIER QUICK GROW RECLAMATION MIXTURE	112-168 KG/HECTARE
FERTILIZER	18-18-20, 50% SULPHUR COATED UREA	400 KG/HECTARE
MULCH	CANFOR ECOTRRE PLUS TAC	2,800 KG/HECTARE
TACKIFIER	GUAR	3% OF MIX

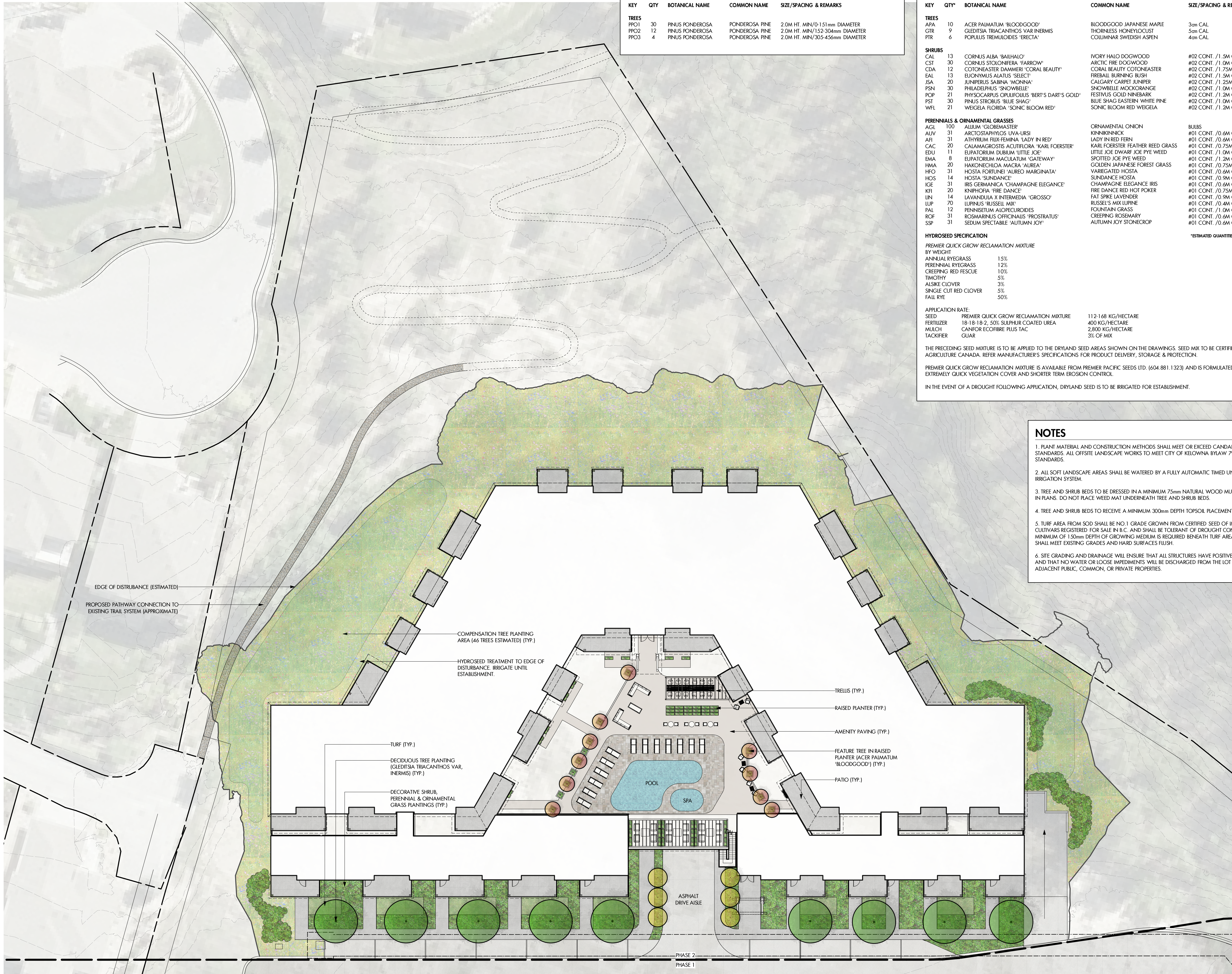
THE PRECEDING SEED MIXTURE IS TO BE APPLIED TO THE DRYLAND SEED AREAS SHOWN ON THE DRAWINGS. SEED MIX TO BE CERTIFIED #1 GRADE BY AGRICULTURE CANADA. REFER MANUFACTURER'S SPECIFICATIONS FOR PRODUCT DELIVERY, STORAGE & PROTECTION.

PREMIER QUICK GROW RECLAMATION MIXTURE IS AVAILABLE FROM PREMIER PACIFIC SEEDS LTD. (604.881.1323) AND IS FORMULATED FOR EXTREMELY QUICK VEGETATION COVER AND SHORTER TERM EROSION CONTROL.

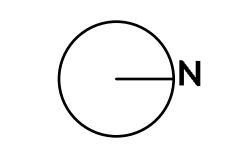
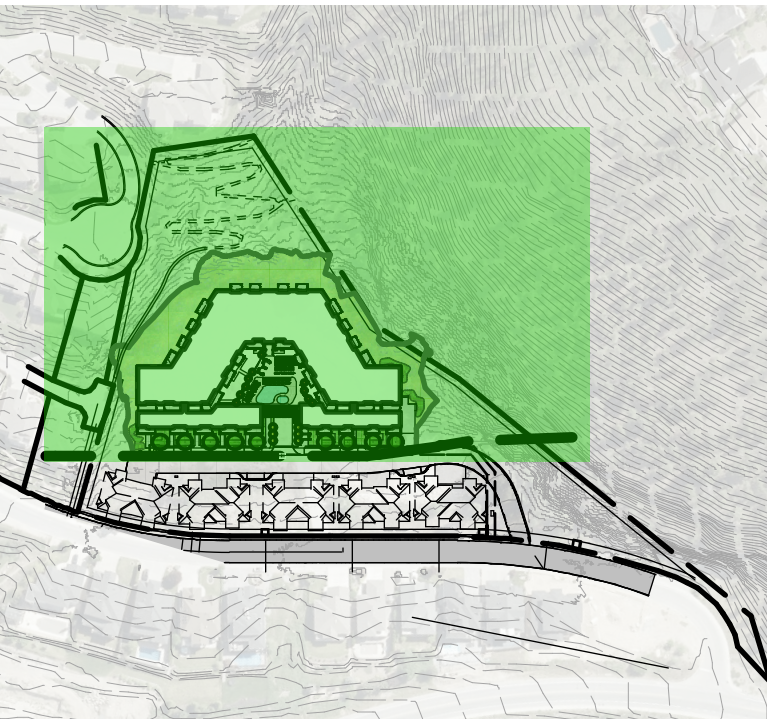
IN THE EVENT OF A DROUGHT FOLLOWING APPLICATION, DRYLAND SEED IS TO BE IRRIGATED FOR ESTABLISHMENT.

NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CANADIAN LANDSCAPE STANDARDS. ALL OFFSITE LANDSCAPE WORKS TO MEET CITY OF KELOWNA BYLAW 7900 STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm NATURAL WOOD MULCH AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREA FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 150mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.



SCHEDULE C
This forms part of application # DP23-0108
City of Kelowna COMMUNITY PLANNING
Planner Initials MT



PROJECT TITLE
777 DENALI PHASE 2

Kelowna, BC

DRAWING TITLE
CONCEPTUAL LANDSCAPE PLAN

ISSUED FOR / REVISION	DATE	DESCRIPTION
1	23.03.30	For Discussion
2	23.04.14	Development Permit
3		
4		
5		

PROJECT NO.	230103
DESIGN BY	DF
DRAWN BY	NM
CHECKED BY	FB
DATE	APR. 14, 2023
SCALE	1:200
PAGE SIZE	30x42
SEAL	

DRAWING NUMBER

L1/2

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FORM & CHARACTER – DEVELOPMENT PERMIT GUIDELINES

Chapter 2 - The Design Foundations: apply to all projects and provide the overarching principles for supporting creativity, innovation and design excellence in Kelowna.

- Facilitate Active Mobility
- Use Placemaking to Strengthen Neighbourhood Identity
- Create Lively and Attractive Streets & Public Spaces
- Design Buildings to the Human Scale
- Strive for Design Excellence

The General Residential and Mixed Use Guidelines: provide the key guidelines that all residential and mixed use projects should strive to achieve to support the Design Foundations.

- The General Guidelines are supplemented by typology-specific guidelines (e.g., Townhouses & Infill on page 18-19, High-Rise Residential and Mixed-Use on page 18-42), which provide additional guidance about form and character.

Chapter 2 - Design Foundations

Apply To All Projects

Page 18-8

Section 2.1 - General Residential and Mixed Use Design Guidelines

Page 18-9

Section 2.2 - Achieving High Performance

Page 18-17

Chapter 3
 Townhouses & Infill

Page 18-19

Chapter 4
 Low & Mid-Rise
 Residential &
 Mixed Use

Page 18-34

Chapter 5
 High-Rise
 Residential &
 Mixed Use

Page 18-42

*Note: Refer to the Design Foundations and the Guidelines associated with the specific building typology.

Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

SECTION 2.0: GENERAL RESIDENTIAL AND MIXED USE						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
2.1 General residential & mixed use guidelines						
2.1.1 Relationship to the Street	N/A	1	2	3	4	5
a. Orient primary building facades and entries to the fronting street or open space to create street edge definition and activity.						✓
b. On corner sites, orient building facades and entries to both fronting streets.	✓					
c. Minimize the distance between the building and the sidewalk to create street definition and a sense of enclosure.	✓					
d. Locate and design windows, balconies, and street-level uses to create active frontages and 'eyes on the street', with additional glazing and articulation on primary building facades.						✓
e. Ensure main building entries are clearly visible with direct sight lines from the fronting street.						✓
f. Avoid blank, windowless walls along streets or other public open spaces.						✓
g. Avoid the use of roll down panels and/or window bars on retail and commercial frontages that face streets or other public open spaces.	✓					
h. In general, establish a street wall along public street frontages to create a building height to street width ratio of 1:2, with a minimum ratio of 11:3 and a maximum ratio of 1:1.75. <ul style="list-style-type: none"> • Wider streets (e.g. transit corridors) can support greater streetwall heights compared to narrower streets (e.g. local streets); • The street wall does not include upper storeys that are setback from the primary frontage; and • A 1:1 building height to street width ratio is appropriate for a lane of mid-block connection condition provided the street wall height is no greater than 3 storeys. 						✓
2.1.2 Scale and Massing	N/A	1	2	3	4	5
a. Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction.					✓	
b. Break up the perceived mass of large buildings by incorporating visual breaks in facades.						✓
c. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: <ul style="list-style-type: none"> • Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and • Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice. 						✓

2.1.3 Site Planning	N/A	1	2	3	4	5
a. Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of natural features.						✓
b. Use Crime Prevention through Environmental Design (CPTED) principles to better ensure public safety through the use of appropriate lighting, visible entrances, opportunities for natural surveillance, and clear sight lines for pedestrians.						✓
c. Limit the maximum grades on development sites to 30% (3:1)				✓		
d. Design buildings for 'up-slope' and 'down-slope' conditions relative to the street by using strategies such as: <ul style="list-style-type: none"> • Stepping buildings along the slope, and locating building entrances at each step and away from parking access where possible; • Incorporating terracing to create usable open spaces around the building • Using the slope for under-building parking and to screen service and utility areas; • Design buildings to access key views; and • Minimizing large retaining walls (retaining walls higher than 1 m should be stepped and landscaped). 					✓	
e. Design internal circulation patterns (street, sidewalks, pathways) to be integrated with and connected to the existing and planned future public street, bicycle, and/or pedestrian network.						✓
f. Incorporate easy-to-maintain traffic calming features, such as on-street parking bays and curb extensions, textured materials, and crosswalks.	✓					
g. Apply universal accessibility principles to primary building entries, sidewalks, plazas, mid-block connections, lanes, and courtyards through appropriate selection of materials, stairs, and ramps as necessary, and the provision of wayfinding and lighting elements.						✓
2.1.4 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a. Locate off-street parking and other 'back-of-house' uses (such as loading, garbage collection, utilities, and parking access) away from public view.						✓
b. Ensure utility areas are clearly identified at the development permit stage and are located to not unnecessarily impact public or common open spaces.						✓
c. Avoid locating off-street parking between the front façade of a building and the fronting public street.						✓
d. In general, accommodate off-street parking in one of the following ways, in order of preference: <ul style="list-style-type: none"> • Underground (where the high water table allows) • Parking in a half-storey (where it is able to be accommodated to not negatively impact the street frontage); 						✓

<ul style="list-style-type: none"> Garages or at-grade parking integrated into the building (located at the rear of the building); and Surface parking at the rear, with access from the lane or secondary street wherever possible. 						
e. Design parking areas to maximize rainwater infiltration through the use of permeable materials such as paving blocks, permeable concrete, or driveway planting strips.	✓					
f. In cases where publicly visible parking is unavoidable, screen using strategies such as: <ul style="list-style-type: none"> Landscaping; Trellises; Grillwork with climbing vines; or Other attractive screening with some visual permeability. 	✓					
g. Provide bicycle parking at accessible locations on site, including: <ul style="list-style-type: none"> Covered short-term parking in highly visible locations, such as near primary building entrances; and Secure long-term parking within the building or vehicular parking area. 						✓
h. Provide clear lines of site at access points to parking, site servicing, and utility areas to enable casual surveillance and safety.						✓
i. Consolidate driveway and laneway access points to minimize curb cuts and impacts on the pedestrian realm or common open spaces.						✓
j. Minimize negative impacts of parking ramps and entrances through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping.					✓	
2.1.5 Streetscapes, Landscapes, and Public Realm Design	N/A	1	2	3	4	5
a. Site buildings to protect mature trees, significant vegetation, and ecological features.			✓			
b. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings.						✓
c. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation.						✓
d. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage.						✓
e. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: <ul style="list-style-type: none"> Locating outdoor spaces where they will receive ample sunlight throughout the year; Using materials and colors that minimize heat absorption; Planting both evergreen and deciduous trees to provide a balance of shading in the summer and solar access in the winter; and Using building mass, trees and planting to buffer wind. 						✓
f. Use landscaping materials that soften development and enhance the public realm.						✓

g. Plant native and/or drought tolerant trees and plants suitable for the local climate.						✓
h. Select trees for long-term durability, climate and soil suitability, and compatibility with the site's specific urban conditions.						✓
i. Design sites and landscapes to maintain the pre-development flows through capture, infiltration, and filtration strategies, such as the use of rain gardens and permeable surfacing.						✓
j. Employ on-site wayfinding strategies that create attractive and appropriate signage for pedestrians, cyclists, and motorists using a 'family' of similar elements.	✓					
2.1.6 Building Articulation, Features and Materials	N/A	1	2	3	4	5
a. Express a unified architectural concept that incorporates variation in façade treatments. Strategies for achieving this include: <ul style="list-style-type: none"> • Articulating facades by stepping back or extending forward a portion of the façade to create a series of intervals or breaks; • Repeating window patterns on each step-back and extension interval; • Providing a porch, patio, or deck, covered entry, balcony and/or bay window for each interval; and • Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce each interval. 						✓
b. Incorporate a range of architectural features and details into building facades to create visual interest, especially when approached by pedestrians. Include architectural features such as: bay windows and balconies; corner feature accents, such as turrets or cupolas; variations in roof height, shape and detailing; building entries; and canopies and overhangs. Include architectural details such as: Masonry such as tiles, brick, and stone; siding including score lines and varied materials to distinguish between floors; articulation of columns and pilasters; ornamental features and art work; architectural lighting; grills and railings; substantial trim details and moldings / cornices; and trellises, pergolas, and arbors.						✓
c. Design buildings to ensure that adjacent residential properties have sufficient visual privacy (e.g. by locating windows to minimize overlook and direct sight lines into adjacent units), as well as protection from light trespass and noise.					✓	
d. Design buildings such that their form and architectural character reflect the buildings internal function and use.						✓
e. Incorporate substantial, natural building materials such as masonry, stone, and wood into building facades.					✓	
f. Provide weather protection such as awnings and canopies at primary building entries.						✓
g. Place weather protection to reflect the building's architecture.						✓
h. Limit signage in number, location, and size to reduce visual clutter and make individual signs easier to see.						✓

i. Provide visible signage identifying building addresses at all entrances.							✓
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SECTION 4.0: LOW & MID-RISE RESIDENTIAL MIXED USE						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
4.1 Low & mid-rise residential & mixed use guidelines						
4.1.1 Relationship to the Street						
i. Ensure lobbies and main building entries are clearly visible from the fronting street.						✓
j. Avoid blank walls at grade wherever possible by: <ul style="list-style-type: none"> • Locating enclosed parking garages away from street frontages or public open spaces; • Using ground-oriented units or glazing to avoid creating dead frontages; and • When unavoidable, screen blank walls with landscaping or incorporate a patio café or special materials to make them more visually interesting. 					✓	
Residential & Mixed Use Buildings						
k. Set back residential buildings on the ground floor between 3-5 m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio. <ul style="list-style-type: none"> • A maximum 1.2 m height (e.g. 5-6 steps) is desired for front entryways. • Exceptions can be made in cases where the water table requires this to be higher. In these cases, provide a larger patio and screen parking with ramps, stairs and landscaping. 						✓
l. Incorporate individual entrances to ground floor units accessible from the fronting street or public open spaces.						✓
m. Site and orient buildings so that windows and balconies overlook public streets, parks, walkways, and shared amenity spaces while minimizing views into private residences.						✓
4.1.2 Scale and Massing						
a. Residential building facades should have a maximum length of 60 m. A length of 40 m is preferred.						✓
b. Residential buildings should have a maximum width of 24 m.						✓
c. Buildings over 40 m in length should incorporate a significant horizontal and vertical break in the façade.						✓
d. For commercial facades, incorporate a significant break at intervals of approximately 35 m.	✓					
4.1.3 Site Servicing, Access, and Parking						
a. On sloping sites, floor levels should step to follow natural grade and avoid the creation of blank walls.					✓	

b. Site buildings to be parallel to the street and to have a distinct front-to-back orientation to public street and open spaces and to rear yards, parking, and/or interior court yards: <ul style="list-style-type: none"> • Building sides that interface with streets, mid-block connections and other open spaces and should positively frame and activate streets and open spaces and support pedestrian activity; and • Building sides that are located away from open spaces (building backs) should be designed for private/shared outdoor spaces and vehicle access. 						✓
c. Break up large buildings with mid-block connections which should be publicly-accessible wherever possible.	✓					
d. Ground floors adjacent to mid-block connections should have entrances and windows facing the mid-block connection.	✓					
4.1.4 Site Servicing, Access and Parking	N/A	1	2	3	4	5
a. Vehicular access should be from the lane. Where there is no lane, and where the re-introduction of a lane is difficult or not possible, access may be provided from the street, provided: <ul style="list-style-type: none"> • Access is from a secondary street, where possible, or from the long face of the block; • Impacts on pedestrians and the streetscape is minimised; and • There is no more than one curb cut per property. 						✓
b. Above grade structure parking should only be provided in instances where the site or high water table does not allow for other parking forms and should be screened from public view with active retail uses, active residential uses, architectural or landscaped screening elements.						✓
c. Buildings with ground floor residential may integrate half-storey underground parking to a maximum of 1.2 m above grade, with the following considerations: <ul style="list-style-type: none"> • Semi-private spaces should be located above to soften the edge and be at a comfortable distance from street activity; and • Where conditions such as the high water table do not allow for this condition, up to 2 m is permitted, provided that entryways, stairs, landscaped terraces, and patios are integrated and that blank walls and barriers to accessibility are minimized. 	✓					
4.1.5 Publicly-Accessible and Private Open Spaces	N/A	1	2	3	4	5
a. Integrate publicly accessible private spaces (e.g. private courtyards accessible and available to the public) with public open areas to create seamless, contiguous spaces.	✓					
b. Locate semi-private open spaces to maximize sunlight penetration, minimize noise disruptions, and minimize 'overlook' from adjacent units.	✓					
Rooftop Amenity Spaces						
c. Design shared rooftop amenity spaces (such as outdoor recreation space and rooftop gardens on the top of a parkade) to be						✓

<p>accessible to residents and to ensure a balance of amenity and privacy by:</p> <ul style="list-style-type: none"> • Limiting sight lines from overlooking residential units to outdoor amenity space areas through the use of pergolas or covered areas where privacy is desired; and • Controlling sight lines from the outdoor amenity space into adjacent or nearby residential units by using fencing, landscaping, or architectural screening. 						
<p>d. Reduce the heat island affect by including plants or designing a green roof, with the following considerations:</p> <ul style="list-style-type: none"> • Secure trees and tall shrubs to the roof deck; and • Ensure soil depths and types are appropriate for proposed plants and ensure drainage is accommodated. 						✓
4.1.6 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
<p>a. Articulate building facades into intervals that are a maximum of 15 m wide for mixed-use buildings and 20 m wide for residential buildings. Strategies for articulating buildings should consider the potential impacts on energy performance and include:</p> <ul style="list-style-type: none"> • Façade Modulation – stepping back or extending forward a portion of the façade to create a series of intervals in the façade; • Repeating window pattern intervals that correspond to extensions and step backs (articulation) in the building façade; • Providing a porch, patio, deck, or covered entry for each interval; • Providing a bay window or balcony for each interval, while balancing the significant potential for heat loss through thermal bridge connections which could impact energy performance; • Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval; • Changing the materials with the change in building plane; and • Provide a lighting fixture, trellis, tree or other landscape feature within each interval. 						✓
<p>b. Break up the building mass by incorporating elements that define a building’s base, middle and top.</p>						✓
<p>c. Use an integrated, consistent range of materials and colors and provide variety, by for example, using accent colors.</p>						✓
<p>d. Articulate the façade using design elements that are inherent to the buildings as opposed to being decorative. For example, create depth in building facades by recessing window frames or partially recessing balconies to allow shadows to add detail and variety as a byproduct of massing.</p>						✓
<p>e. Incorporate distinct architectural treatments for corner sites and highly visible buildings such as varying the roofline, articulating the façade, adding pedestrian space, increasing the number and size of windows, and adding awnings or canopies.</p>	✓					

<p>f. Provide weather protection (e.g. awnings, canopies, overhangs, etc.) along all commercial streets and plazas with particular attention to the following locations:</p> <ul style="list-style-type: none"> • Primary building entrances; • Adjacent to bus zones and street corners where people wait for traffic lights; • Over store fronts and display windows; and • Any other areas where significant waiting or browsing by people occurs. 	✓					
<p>g. Architecturally-integrate awnings, canopies, and overhangs to the building and incorporate architectural design features of buildings from which they are supported.</p>						✓
<p>h. Place and locate awnings and canopies to reflect the building's architecture and fenestration pattern.</p>						✓
<p>i. Place awnings and canopies to balance weather protection with daylight penetration. Avoid continuous opaque canopies that run the full length of facades.</p>						✓
<p>j. Provide attractive signage on commercial buildings that identifies uses and shops clearly but which is scaled to the pedestrian rather than the motorist. Some exceptions can be made for buildings located on highways and/or major arterials in alignment with the City's Sign Bylaw.</p>	✓					
<p>k. Avoid the following types of signage:</p> <ul style="list-style-type: none"> • Internally lit plastic box signs; • Pylon (stand alone) signs; and • Rooftop signs. 	✓					
<p>l. Uniquely branded or colored signs are encouraged to help establish a special character to different neighbourhoods.</p>	✓					

May 16, 2023

Development Services
1435 Water Street
Kelowna, B.C, V1Y 1J4

Re: Denali Drive – Design Rationale

Dear City of Kelowna's Community Planning,

Located at 777 Denali Drive, Kelowna, B.C, the site is partially graded and backs onto a heavily sloped vegetated area. The project consists of a two storey parkade, two storey townhome units, three stories of multi-family residential apartment units, and various amenity spaces. The townhome is comprised of nine, three bedroom units and is situated in front of the parkade creating a pedestrian friendly street scape. The three story apartment complex is located above the parkade and is comprised of 70, one, two and three bedroom units. The amenity space is located on the main floor of the apartment building with outdoor pool, hot tub, and various seating options, as well, an amenity space is on the roof of the apartment with more seating and social spaces.

The proposed site is designated in the 2040 Official Community Plan (OCP) as S-MU (Suburban Multi-Unit) which addresses the need for higher residential density in the Gateway and Suburban Neighborhoods by allowing a greater variety of multi-unit housing. The 2040 OCP mentions the need to create more density within Suburban Neighborhoods to alleviate the cost of maintaining, repair and replacing infrastructure to help the long term financial sustainability of the City. This project looks at creating more density while both the townhomes that front the street and the low rise apartment building situated behind the townhouses are supported uses and typologies in the 2040 OCP (ground-oriented multi-unit residential and low rise apartment). Being a three storey low rise apartment building, we are under the 2040 OCP supported form requirement of 4 storeys.

Working with the civil engineer, we addressed the Hillside Housing Forms objective of minimizing the impact on hillside areas by reducing or minimizing the cut and fill requirements of the project.

To help reduce social isolation and foster social interaction, the project has allocated large areas of common open space amenities including a pool, hot tub, and various seating opportunities on the apartment main floor level (parkade roof) while also providing a roof top deck to provide a space for smaller or quieter activities or social engagements.

As per the zoning requirements for Multi-Dwelling Zones (MF2) and the Site Specific Regulation (*this property is permitted to have Apartment housing limited to 3 storeys*), the project meets all requirements as required by the City of Kelowna Zoning Bylaw 12375 without the need for a development variance permit.

Brian F. Quiring
Architect AIBC, MAA, M.Arch

Vicki A. Topping
Architect AIBC, M.Arch. LEED AP+

Roger B. Green
Architect AIBC, MRAIC, M.Arch

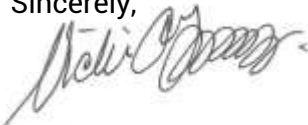
The proposed massing for this project has been developed to break down the vertical scale into the street orientated 2 storey townhomes along the front while stepping back to the 3 storey apartment building behind. The partial U shape of the form and massing for the 3 storey apartment building breaks up the form creating variation as the apartment steps even further back while creating a large amenity space (pool deck and seating) at the center of the development creating a focal point to help foster community and social engagement.

Using similar vocabulary, scale, and materiality that is currently used for the existing duplexes, the townhomes are an important aspect that will create an inclusive, ground orientated, complex that is well integrated into the existing context. The townhomes and apartment will use a robust exterior cladding system that is comprised of cementitious siding or panels with neutral tones that will blend into the surrounding context. Wood elements are utilized in select areas to provide warmth and the feeling of nature to the project.

Our intention and focus of this project is to create a community minded pedestrian friendly development while creating interesting architecture through articulations, form, and massing.

We hope that the above design rationale meets your approvals and we look forwards to hearing from you. Thank you for your consideration.

Sincerely,



Vicki Topping, Architect AIBC, Partner
MQN Architects





PERSPECTIVE 1



PERSPECTIVE 2



PERSPECTIVE 3



PERSPECTIVE 4



PERSPECTIVE 5



PERSPECTIVE 6



PERSPECTIVE 7



PERSPECTIVE 8



City of
Kelowna

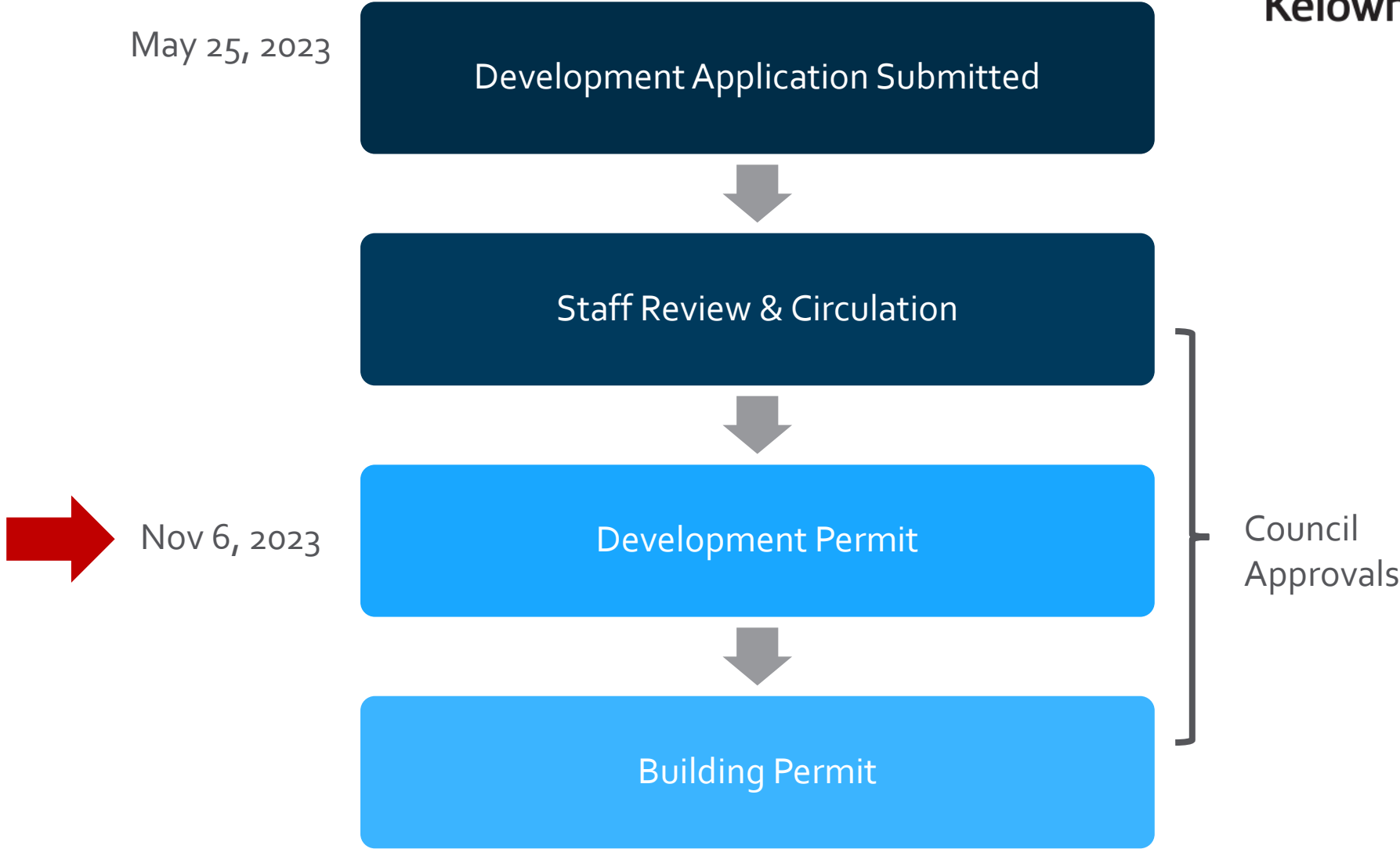
DP23-0108
777 Denali Dr

Development Permit

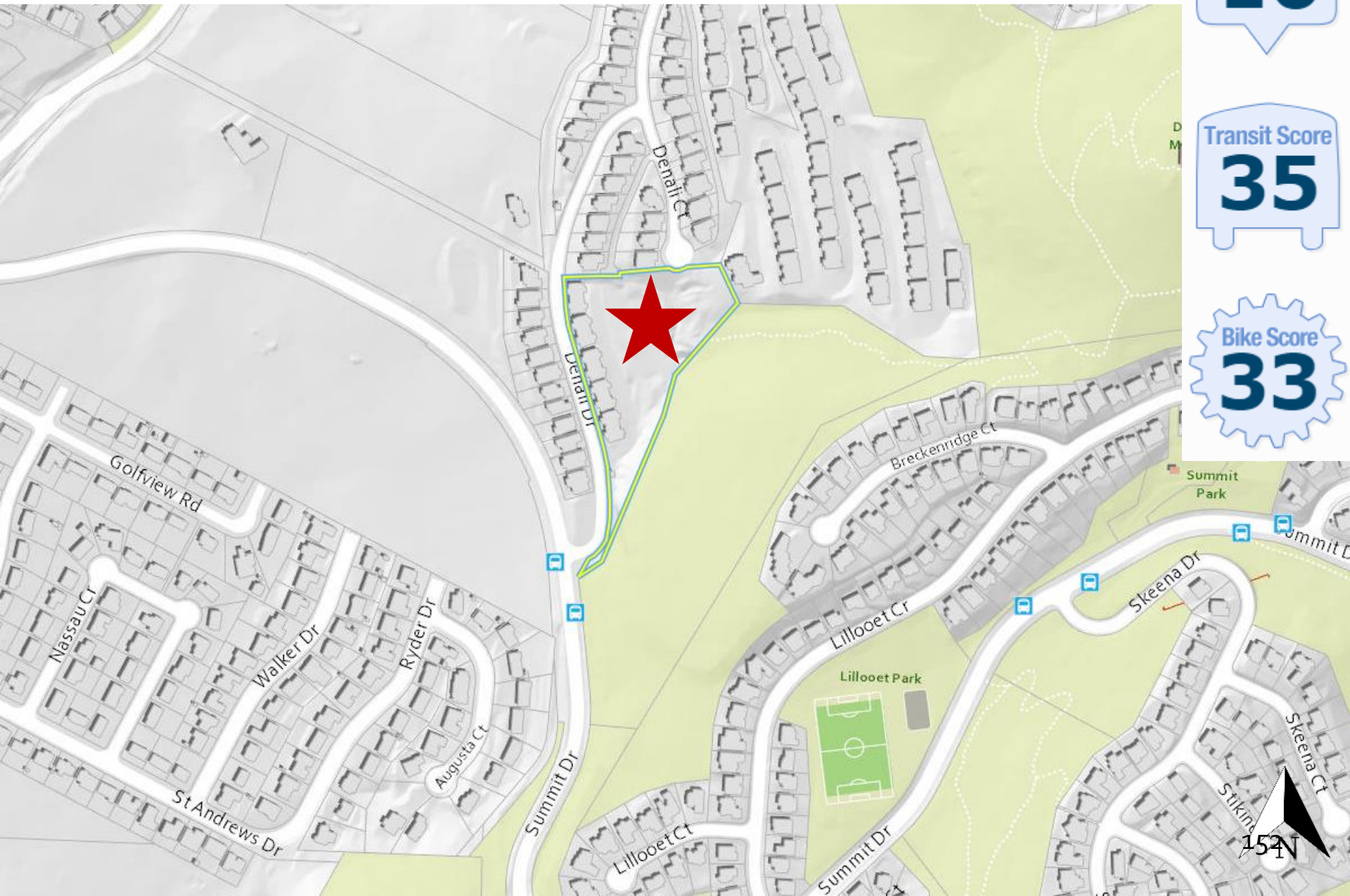
Purpose

- ▶ To consider the form and character of a proposed 3-storey apartment building on top of a 2-storey townhouse building.

Development Process



Context Map



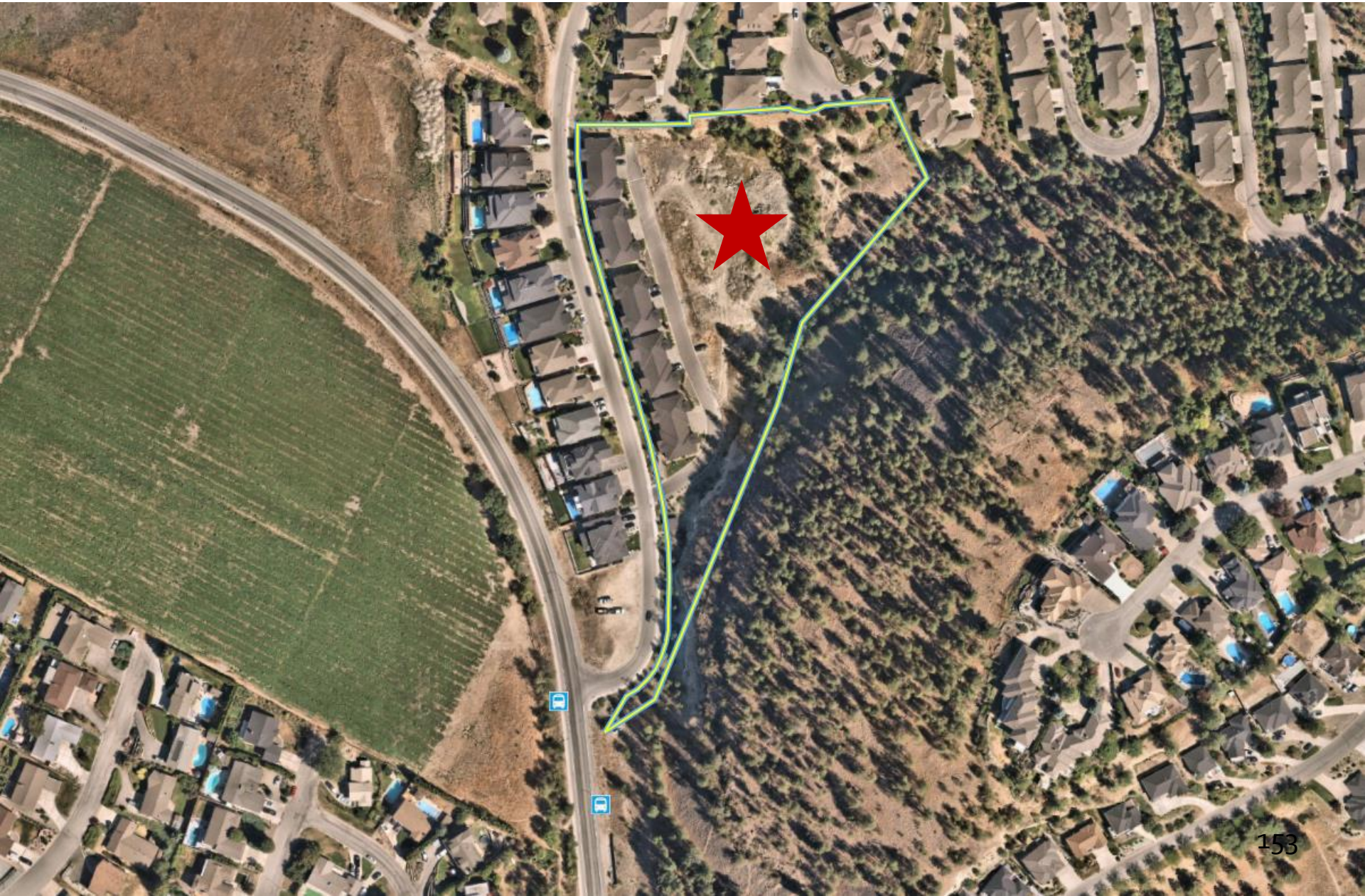
Walk Score
16

Transit Score
35

Bike Score
33

154N

Subject Property Map



Technical Details

- ▶ 3 storey apartment building on top of 2 storey townhouse building
- ▶ 89 units
 - ▶ 29 one-bedroom units
 - ▶ 35 two-bedroom units
 - ▶ 15 three-bedroom units (including 9 townhouses)
- ▶ 137 parking stalls
- ▶ 54 bicycle parking stalls
- ▶ 25 trees
- ▶ Amenity space includes rooftop deck, 3rd floor deck with pool/hot tub, and indoor space on 3rd to 5th floors.

Site Plan



Elevation – West



Elevation – East



Elevation – South



4 EAST ELEVATION
 A101 SCALE: 3/32" = 1'-0"

RETAINING WALL
 REFER TO CIVIL.

Elevation – North

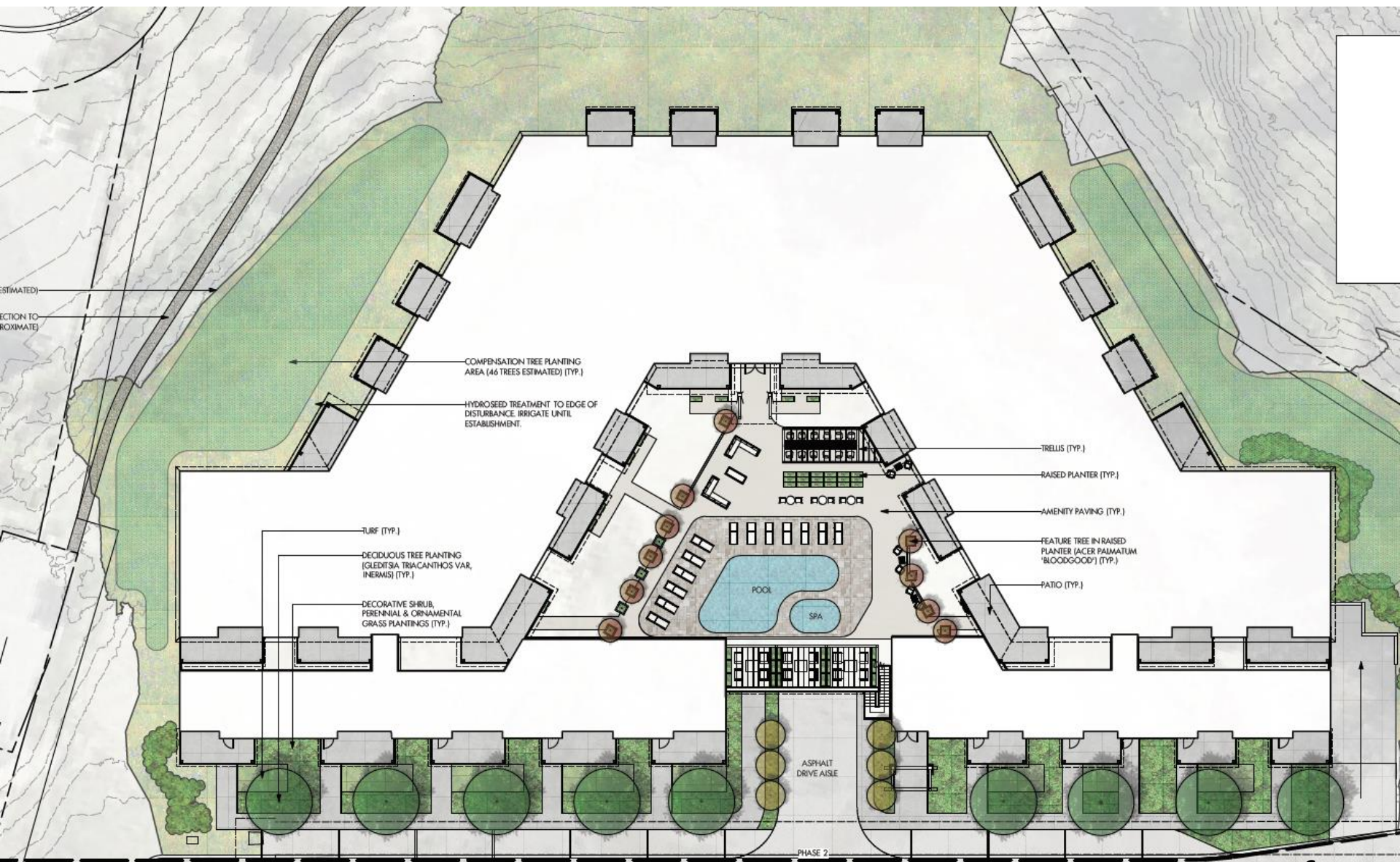


3 WEST ELEVATION
 D201 SCALE: 3/32" = 1'-0"

Materials Board



Landscape Plan



Rendering – NW



Rendering – NW



OCP Design Guidelines

- ▶ Orienting building facades and entries to the fronting street or open space and incorporating individual entrances to ground floor units
- ▶ Breaking up the perceived mass of large buildings by incorporating visual breaks in the façade
- ▶ Stepping back the upper storeys of buildings
- ▶ Including attractive, engaging, and functional on-site open space.

Staff Recommendation

- ▶ Staff recommend **support** for the proposed Development Permit as it:
 - ▶ Aligns with the OCP Guidelines for Low & Mid-Rise Residential Development
 - ▶ No variances are proposed

Report to Council



Date: November 6, 2023
To: Council
From: City Manager
Subject: 2017 Agriculture Plan's Implementation Progress
Department: Development Planning and Policy & Planning

Recommendation:

THAT Council receives for information, the report from the Development Planning and Policy & Planning, dated November 6, 2023, with respect to the 2017 Agriculture Plan's implementation progress.

Purpose:

To provide Council an update on the implementation progress of the 2017 Agriculture Plan.

Background:

Agriculture is one of the defining features of the Central Okanagan region and drives a significant amount of economic activity and tourism, accounting for nearly \$190 million in farm operating revenue in 2021 in addition to other associated economic activity. In Kelowna, nearly 46 per cent of the land base is dedicated to agriculture (the vast majority of which is in the Agriculture Land Reserve (ALR). The City supports the agricultural community through the creation of long-term plans and policies that ensure agricultural lands are protected and available now and, in the future.

Endorsed by Council in 2017, the Agriculture Plan is a 10-year action Plan with a vision that "*Kelowna is a resilient, diverse, and innovative agricultural community that celebrates farming and values farmland and food producers as integral to our healthy food system, economy and culture.*" The Plan includes 52 actions that are organized according to available financial resources (i.e. achievable with existing resources vs. requiring additional staff and/or financial resources) and a phased implementation timeline.

Since the Plan's endorsement, a number of changes and events have occurred that impact the agricultural landscape in the City, examples include:

- Amendments to the Agricultural Land Commission (ALC) Act and ALR Regulations
- COVID-19 pandemic

- Climate hazards affecting production (e.g. extreme precipitation events, heat dome, drought, flooding, wildfire) and also highlighting challenges to local food security
- New City Plans (e.g. 2040 Official Community Plan (OCP), 2040 Transportation Master Plan (TMP), Climate Action and Resiliency Strategy (in progress))
- New Council Priorities

The Agricultural Plan is an intersecting plan that highlights agricultural values and actions that can be integrated into other City initiatives and objectives.

Progress on Actions:

As summarized in Table 1, many of the Agriculture Plan’s actions have been successfully implemented (*Attachment A: Agriculture Plan Implementation Progress* provides further details about the status of each of the actions). Nearly 81 per cent of the actions are in progress, ongoing or completed. Only one action scheduled to be implemented in Phase 2 was not started. This was the development of a Healthy Food Strategy as other priorities took precedence. The implementation to date is more successful than originally planned, especially given that no additional staff or financial resources have been dedicated. This success is due in part to the Province implementing some recommendations province-wide (e.g. dwelling size limits, commercial event regulations, etc.) as well as providing dedicated enforcement staff in the region, which was not anticipated at the time of the Agriculture Plan’s development. Further, staff have been able to find synergies with other projects to implement some of the actions (e.g. Farm Protection Development Permit Guidelines were refreshed with the 2040 OCP). In late 2022, the City hired a term agricultural planner, and part of their task is continuing to implement the Plan.

Table 1: Status Summary of Agriculture Plan Actions

	Actions to be implemented with existing resources					Actions to be implemented with additional resources				
	Completed / ongoing	In progress	Not started	Not proceeding / no longer applicable	Total	Completed / ongoing	In progress	Not started	Not proceeding / no longer applicable	Total
Ongoing	9	0	0	0	9	3	1	0	0	4
Phase 1 (2018 – 2019)	13	0	0	0	13	5	1	0	6	12
Phase 2 (2020 – 2022)	3	1	1	1	6	2	2	0	1	5
Phase 3 (2023 – 2027)	0	2	0	0	2	0	0	1	0	1
Totals	25	3	1	1	30	10	4	1	7	22

As the Agricultural Plan is in Phase 3, the final phase, staff took the opportunity to review the actions to determine if they aligned with the 2023 – 2026 Council priorities, any new City policies or bylaws, provincial legislation updates and the City’s 2040 Official Community Plan (OCP). Nine actions were identified as “no longer proceeding” or “not applicable” because of changes to the Agricultural Land Commission (ALC) legislation (e.g. amendments to include provisions for secondary dwellings) or updates to City policies or bylaws (e.g. updates to the Business Licence Bylaw).

Evaluating Success:

The Agriculture Plan includes a “Monitoring and Evaluation Strategy” to determine the progress of the Plan over time. Some of the measures are available annually or at the end of each Phase, but others rely on data available in five year or more increments, such as the federal Census of Agriculture or the provincial Agricultural Land Use Inventory. Attachment B summarizes the performance status of each of the indicators.

Five indicators are performing in the right direction. These indicators are directly impacted by decisions made by the City to maintain lands that are designated as agricultural lands and they demonstrate the commitment to working with the ALC to ensure properties are in compliance with the ALC Act and City zoning on agricultural lands. Highlights include:

- Ongoing, short-term, medium-term, and long-term actions for Phase 1 and Phase 2 are exceeding implementation targets.
- Compliance and enforcement of non-farm use on agriculture is exceeding targets for closing files (From 2017 to September 20, 2023, 214 files closed). This is also used to measure progress on Council’s Agriculture Priorities.
- Preserving farmland within and outside of the ALR continues. This is also used to measure progress on Council’s Agriculture Priorities.

Four indicators are performing in the wrong direction which are all related to land acreage in crop production (also used to measure progress on Council’s Agriculture Priorities) and the number of active farms. Examining data over the prior decade reveals significant annual variability in the indicators. The performance of these indicators is also not wholly within the City’s control to have them perform in the right direction. However, the five indicators performing in the right direction directly support these indicators by preserving and protecting the agricultural land base for future farm use. Further, there could be a lag period between implementing the Plan’s actions and seeing positive results. These indicators should continue to be tracked and supplemented with other data as it becomes available.

Two indicators, the average age of farmers and the number of hectares in the ALR/A1 have remained relatively constant since the Plan was endorsed.

Next Steps:

Phase 3 will continue to focus on completing those actions that are currently in progress as well as continue to implement ongoing actions. The two remaining actions that have not been started may require additional resources, either financial and/or staff to be undertaken. Resourcing options will be investigated and budget requests for individual actions will be made as part of the normal budget cycles.

Additionally, work will continue on integrating an agricultural lens into the development of other City policies and plans (e.g. Climate Action and Resiliency Strategy) while focusing on actions that will aid in moving indicators that are performing in the wrong direction into the right direction.

The Regional District of Central Okanagan completed a Regional Agricultural Strategy Background Report in late 2022 and plans to work on the subsequent strategy in 2024. Staff will participate in any local government input opportunities to that strategy.

Conclusion:

Agriculture is an anchor and foundation of the community. It is more than just an economic driver, it is part of what makes Kelowna beautiful, unique, and provides so many benefits to the community. Agriculture is the cornerstone of local food security, attenuates stormwater, mitigates flood and wildfire risk, reduces heat island, and provides the backdrop for many tourism events.

While agricultural lands serve many positive functions, there are many competing interests for the land, and the need to protect against 'use creep' is a notable challenge. This reinforces the importance of the Agriculture Plan's implementation and the continued need for the Permanent Growth Boundary (PGB), almost 55 per cent of which borders along the ALR (and an additional 15 per cent borders Okanagan Lake). As the City continues to support and create strong, defensible policy that protects agricultural lands, Kelowna will continue to have diverse and thriving agricultural industries now and, in the future.

Internal Circulation:

Licensing and Systems Improvement Supervisor
Director of Airport Finance and Corporate Services
Utility Planning Manager
Utility Services Manager
Real Estate Department Manager
Deputy Fire Chief Communications and Emergency Programs
Environmental Technician
Partnership Manager
Bylaw Services Supervisor

Considerations applicable to this report:

Existing Policy –

Official Community Plan 2040:

- Goal Protect agriculture
- Objective 6.7/8.1: Protect and preserve agricultural land and its capability
- Objective 6.8/8.2: Ensure a compatible urban-rural interface that protects agricultural uses

Imagine Kelowna

- Goal: Protect agricultural land

Financial/Budgetary Considerations:

Many of the remaining actions in the Agriculture Plan not yet undertaken will require additional resources, either financial and/or staff to be implemented. Funding and resourcing options will be investigated and budget requests for individual actions will be made as part of the normal budget cycle in 2024 or beyond.

Report prepared by: Celeste Barlow, Planner II
Report prepared by: Tracy Guidi, Sustainability Coordinator
Reviewed by: Danielle Noble-Brandt, Policy and Planning Department Manager
Reviewed by: Dean Strachan, Community Planning and Development Manager
Approved for inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Agricultural Plan Implementation Progress
Attachment B: Agricultural Plan Performance Indicators

Attachment A: Agriculture Plan

Implementation Progress at end of Phase 2

Legend: MAF = Ministry of Agriculture and Food
ALC = Agricultural Land Commission

Ongoing/ complete

In progress

Not started

Not proceeding /
no longer
applicable

Table 1. Implementation actions to be undertaken with existing staff resources.

Action #	Description	Action Status	2023 Action implementation notes
Ongoing Actions			
1.4a	Maintain the agricultural compliance and enforcement strategy.	Ongoing	City is collaborating with ALC Compliance and Enforcement to identify and address highest priority properties.
1.4i	Investigate opportunities to minimize impacts, where possible, to agriculture during expansion of YLW as outlined in the 2045 Airport Master Plan.	Ongoing	YLW offered topsoil to farmers from newly constructed areas. Any YLW agricultural lands that are not utilized are leased out to farmers.
2a	Evaluate and monitor City of Kelowna water pricing with the goal of sustaining agriculture.	Complete	Agricultural water rates were set by Council when the Water Regulation Bylaw No. 10480 was updated in 2022. These rates remain among the lowest in the Okanagan Valley. The allotment of water has not changed since developed by the SEKID. Water Supply Policy 383 outlines the City's continued direction to set competitive agricultural water rates.
2b	Include agriculture in municipal climate change strategies and plans.	Ongoing	Agriculture is being considered in the development of the new <i>Climate Resilient Kelowna Strategy</i> (anticipated to be complete end of 2023).
2c	Implement the actions of the 2015 Central Okanagan Clean Air Strategy to reduce smoke from burning.	Ongoing	Agricultural wood waste chipping program continues to be offered. New incentive levels and a purchase option have been introduced on the agricultural mow/chip/rent/buy rebate as of June 2022. Staff have drafted updates to open burning bylaws to reduce particulate matter which will be presented to RDCO Board at a later date.
2e	Continue to work with the RDCO to enforce the Noxious Insect Control Bylaw and Noxious Weeds & Grass Control Bylaw. Consider informing residents seasonally through a press release.	Ongoing	RDCO has a variety of different outreach tactics to educate the community on noxious insects and weeds (e.g. Weed Tip Wednesdays on social media).
2f	Continue to work towards ensuring sustainable, redundant and secure water for all agriculture.	Ongoing	Development of a Water Security Plan has been initiated based on Council endorsed "principles" that include water supply for agriculture, environmental flow needs and other water related sectors of the City. Tools such as the McCulloch Water Supply digital dashboard, which relates water current storage levels with predicted runoff and consumptive use models, will help manage water supply allotments in case of extreme multi-year droughts, and better understand the factors and demands needed to manage the system.
3a	Expand programs such as Farm to Flight at YLW to highlight local food and beverage products.	Ongoing	The YLW Farm to Flight program continues to operate and aims at including products from a wide range of farms in the region.

Action #	Description	Action Status	2023 Action implementation notes
3f	Encourage opportunities to meet with community groups, including real estate groups, to communicate existing land use policies and the impacts of non-farm use on farm land.	Ongoing	Due to COVID-19 no new community outreach has been done since the 2019 update, however, presentations will be done upon request in the future.
Actions to be implemented Phase 1: (2018 – 2019)			
1.1a	Restrict additional density outside the PGB.	Complete	Previously complete but updated in new 2040 OCP , adopted January 2022, reinforced the PGB.
1.1b	Restrict community sewer service expansion into agricultural areas except where infrastructure is needed to address health issues and protection of natural assets as identified by the City of Kelowna or senior government.	Complete	Previously complete but updated in new 2040 OCP Policy 13.6.3 Sewer Expansion in Rural Lands.
1.1c	Restrict non-farm uses that do not directly benefit agriculture.	Complete	Previously complete but updated in new 2040 OCP Policy 6.7.5 and 8.1.6 Non-farm Uses.
1.1d	Protect and support the continued designation of Natural Resource Protection Lands for agricultural purposes.	Complete	Previously complete but updated in new 2040 OCP Policy 6.7.2 and 8.1.2 Agricultural Land Designation.
1.1f	Expand urban agricultural opportunities as a way to improve food system resiliency and promote social inclusion, such as community gardens or urban farming.	Complete	Previously complete but updated in new 2040 OCP Policy 4.10.3, 5.9.3, 6.5.1, 7.5.1 and 8.3.1 Urban Agriculture.
1.2a	Adopt Residential Footprint policies as per the Non-farm use white paper (Appendix G)	Complete	Previously complete but updated in new Zoning Bylaw 12375 10.5 Agricultural and Development Regulations.
1.2b	Include underground residential services within the Residential Footprint.	Complete	Previously complete but updated in new 2040 OCP Farm Protection DP Guidelines B 1.2.
1.2c	Only structures used exclusively for farm use, or have a direct and on-going benefit to agriculture may be located outside the Residential Footprint.	Complete	Previously complete but updated in new 2040 OCP Farm Protection DP Guidelines B 1.2.
1.2d	On agricultural lands, locate facilities accessed by the public near the road entrance to reduce the footprint.	Complete	Previously complete but updated in new 2040 OCP Farm Protection DP Guidelines B 1.5.
1.2e	Ensure that the Residential Footprint maximizes the agricultural potential.	Complete	Previously complete but updated in new 2040 OCP Farm Protection DP Guidelines B 1.2
1.2f	Require statutory covenants on non-agricultural land to notify landowners of surrounding “normal farm practices”.	Complete	Previously complete but updated in new 2040 OCP Farm Protection DP Guidelines A 5.1.
1.2g	Discourage uses of urban land adjacent to agricultural land by vulnerable populations to limit interface incompatibilities.	Complete	Previously complete but updated in new 2040 OCP Policy 4.11.2, 5.10.2, 6.8.2, 7.4.2 and 8.2.2 Urban-Rural Interface Uses.
1.4c	Update the Development Applications Procedures Bylaw to allow the Community Planning Manager to request an Agricultural Impact Assessment.	Complete	Previously complete but updated in new Development and Application and Heritage Procedures Bylaw No. 12310 .
Actions to be implemented in Phase 2 (2020 – 2022)			
1.1e	Explore a new OCP Land Use Designation: Transition to Agriculture.	Complete	Following research staff decided not to pursue and instead enhanced provisions within the 2040 OCP for buffering on urban properties adjacent to agriculture. See 2040 OCP Policy 8.2.2 and 8.2.3, and 2040 OCP Farm Protection DP Guidelines A.
1.4d	Explore opportunities to better match tax rates with farm land production activities.	Not proceeding	Not proceeding as this is a provincial role and local governments can only advocate.

Action #	Description	Action Status	2023 Action implementation notes
1.4e	Update the Noxious Insect Control Bylaw and Noxious Weeds & Grass Control Bylaw to include current noxious species and diseases.	Ongoing	New amendments planned for 2023 for Tree of Heaven and Spotted Lanternfly.
2d	Create consistent water restriction / drought level messaging within affected areas or watersheds to ensure highest compliance by users.	Ongoing	Current water stage restrictions as outlined in Water Regulation Bylaw 10480 are effective and the approach is used by all four water providers. These will be reviewed prior to the 2024 growing season.
3d	Develop a Healthy Food Strategy for Kelowna.	Not started	While this strategy has not started, funding was secured through UBCM for the "Kelowna Food Innovation Project" which will convene local food system actors to develop a leadership table, food systems map; and prototype projects.
4a	Investigate and support opportunities for alternative ownership models for farmland for the purpose of increasing production levels on farmland.	In progress	The City owns 12 properties that are leased to farmers. If a City owned parcel is suitable for agriculture the City's Real Estate department explores options to lease the lands (or a portion of the lands) to a farmer. In the past the City has utilized a number of methods to match available lands with farmers including contacting Young Agrarians or advertising locally. The most success has been found by advertising locally.
Actions to be implemented in Phase 3 (2023 – 2027)			
2g	Develop emergency plans (i.e. wildfire, drought) that are inclusive of agriculture.	In progress	MAF recently established an Emergency Management Branch. For the first time, an agricultural representative was staffed at the Central Okanagan Emergency Operations Center to coordinate agricultural response during the 2023 wildfires.
3h	Identify opportunities to increase YLW's air cargo service, which could potentially provide the opportunity to ship local agricultural products to additional markets.	In progress	Increasing YLW's air cargo service was put on hold during the COVID-19 pandemic. YLW has future plans to increase airside land available for development which would allow for more cargo planes to access YLW and provide an opportunity to ship more agricultural products.

Table 2. Implementation actions to be undertaken: additional staff resources required

Action #	Description	Action Status	2023 Action implementation notes
Ongoing Actions			
1.4a	Expand the City's Agricultural Compliance and Enforcement Strategy.	Ongoing	A new agricultural planner position was established in 2022 that will coordinate enforcement efforts with ALC.
1.4b	Establish procedures for zoning compliance review via business license applications on agricultural properties.	Ongoing	The new agricultural planner position will review business license applications on agricultural land to ensure compliance with zoning.
3g	Consider the opportunity for farm tours for elected officials and staff.	In progress	Staff are investigating grant and/or partnership opportunities to offer tours. The Central Okanagan Economic Development Commission recently hosted one for RDCO Board members.
3b	Use existing communications channels (e.g. website, social media, printed signs, pamphlets) to raise the level of understanding about agriculture as outlined in the <i>Farm Community Identity White Paper</i> .	Ongoing	New webpages published on Agricultural Planning .
Actions to be implemented Phase 1 (2018 – 2019)			
1.3a	Review and amend the A1 Zone to ensure compliance.	Ongoing	Zoning Bylaw is amended when ALC makes legislation change.
1.3b	Investigate adopting a maximum home (principal dwelling) total floor area within the A1 zone.	Complete	ALC amended legislation to include a maximum total floor area of 500 m2 for the principal dwelling.
1.3c	Revise policy for mobile homes on farmland occupied by the owner's immediate family.	No longer applicable	ALC updated secondary dwelling policy and no longer require occupation by immediate family.
1.3d	Remove "carriage house" as a permitted use within the A1 zoning.	No longer applicable	Council directed updates to Zoning Bylaw to align with ALC's new secondary dwelling allowances.
1.3e	Update zoning bylaw subdivision regulations to increase the minimum lot size in the ALR from 2.0 ha to 4.0 ha.	Complete	Previously complete but updated in new Zoning Bylaw 12375 10.4 Subdivision Regulations.
1.3f	Update vegetative buffer specifications as outlined in <i>Edge Planning White Paper</i> .	Complete	2040 OCP Farm Protection DP Guidelines A 2.0 and B 3.0.
1.3g	Investigate parking limitations on agricultural lands.	In progress	ALC has regulations for event parking and the city regulates parking as prescribed in the 2040 OCP Farm Protection DP Guidelines B2.0. Staff will continue to investigate parking limitations consistent with ALR regulations and ALC policies.
1.3h	Create a clear definition in the Zoning Bylaw for local food retail opportunities outside of the ALR as described in the <i>Local Food Retail Opportunities White Paper</i> (see Appendix E).	No longer applicable	The Zoning Bylaw allows independent mobile concession and vendor operators to set up on privately owned land in many zones throughout the City. Opportunities to operate on select municipal lands are posted annually.
1.3i	Revise the definition of "urban agriculture" to include the sale of farm products as a seasonal retail operation.	Not Proceeding	Online farm product sales on non-ALR land can fall within the home-based business parameters of the Zoning Bylaw. There are also many opportunities for mobile vending in the City. However, the sale of farm products from non-farm properties is restricted due to conflict issues (e.g. parking) so staff have determined not to pursue this action.

Action #	Description	Action Status	2023 Action implementation notes
1.3j	Design specific sites and/or zones as suitable for "local produce stands" as per the <i>Local Food Retail Opportunities White Paper</i> (Appendix E).	No longer applicable	The Zoning Bylaw allows independent mobile concession and vendor operators to set up on privately owned land in many zones throughout the City. Opportunities to operate on select municipal lands are posted annually.
3c	Investigate opportunities for pop up markets to sell local produce as described in the <i>Local Food Retail Opportunities White Paper</i> (Appendix E).	No longer applicable	The Zoning Bylaw allows independent mobile concession and vendor operators to set up on privately owned land in many zones throughout the City. Opportunities to operate on select municipal lands are posted annually.
1.3k	Provide regulation for commercial assembly events on farmland that aligns with Ministry of Agriculture and ALC regulations.	Complete	ALR Use Regulation govern events on ALR land and events that meet the regulations cannot be prohibited by local governments.
Actions to be implemented in Phase 2 (2020 – 2022)			
1.3l	Investigate options to regulate permitted uses in the ALR consistent with the Ministry of Agriculture Bylaw Standards.	Ongoing	As the MAF/ALC continues to update their policies, more updates will be required. MAF is updating sections of their Guide for Bylaw Development in Farming Areas in 2024.
1.4f	Update the <i>Soil Deposit and Removal Bylaw</i> to ensure that it reflects current industry best practices. Consider identifying priority areas, such as the ALR, whereby soil deposit and removal will be restricted.	Complete	ALR Use Regulations provide rules for soil deposit and removal on ALR land. A Soil Removal and Deposit permit is issued on lands in the ALR provided the use is permitted via the ALR Regulations, notice of intent or application.
1.4g	Update the <i>Business Licence Bylaw</i> to include the new definition of local food sales. A license should be required for these retail operations whether the stand is on public or private property.	Not proceeding	Staff are updating the <i>Business Licence Bylaw</i> with the goal of being more simplistic and aligned with Zoning Bylaw.
1.4h	Require a business licence for commercial assembly events including conditions such as time parameters and parking requirements.	In Progress	A business licence is required to hold events on agricultural land. Future initiatives will look to align the ALR Use Regulation and to limit negative impacts to farmland.
3e	Evaluate an Agricultural Signage Program to raise awareness and appreciation for agricultural areas within the City.	In Progress	Staff have reviewed agricultural signage and/or agricultural signage programs in local governments and First Nations in BC and are exploring next step to implement an agricultural signage program.
Actions to be implemented in Phase 3 (2023-2027)			
2h	Investigate creative approaches to provide existing neighborhoods on the urban side of the Permanent Growth Boundary with vegetative buffers.	Not started	

Table 3: Action completion summary

	Actions with existing resources					Actions with additional resources				
	Completed / ongoing	In progress	Not started	Not proceeding / no longer applicable	Total	Completed / ongoing	In progress	Not started	Not proceeding / no longer applicable	Total
Ongoing	9	0	0	0	9	3	1	0	0	4
Phase 1 (2018 – 2019)	13	0	0	0	13	5	1	0	6	12
Phase 2 (2020 – 2022)	3	1	1	1	6	2	2	0	1	5
Phase 3 (2023 – 2027)	0	2	0	0	2	0	0	1	0	1
Totals	25	3	1	1	30	10	4	1	7	22

Table 4. Actions where the City plays a supportive role

Action #	Description	Action Status	2023 Action implementation notes
5a	Continue to support OK Sterile Insect Release program.	Ongoing	Council adopted the Sterile Insect Release Parcel tax and Sterile Insect Release Program Bylaw 2023
5b	Continue to support agricultural economic development goals.	Ongoing	Staff maintain relationships with the Agriculture and Connector Program Specialist at the Central Okanagan Economic Development Commission.
5c	Investigate changes to encourage improved waste diversion (including yard waste collection) as per the 2017 Solid Waste Management Plan.	Ongoing	The Central Okanagan Agricultural Chipping Program offers an alternative for disposal or burning of agricultural waste.
5d	Continue to support community groups to determine infrastructure for a permanent farmers' market location.	Complete	A new location for the farmers market has been identified at the Landmark District
5e	Encourage farmers to work with the Province to manage troublesome wildlife.	Ongoing	MAF's Business Resource Management Branch Agricultural Wildlife Program – compensates agricultural producers for wildlife damage , and there may be funding for fencing to exclude wildlife in some circumstances.
5f	Encourage initiatives for land linking and mentorship programs for farmers.	Ongoing	As City owned agriculturally suitable lands become available, the City publicly advertises the opportunity for agricultural operators to enter into a farm lease with the city.
5g	Work with Agriculture and Agri-Food Canada Summerland Research Station and BC Ministry of Environment to determine opportunities for soil maps to be digitized.	Complete	Provincial Soil Information Find Tool available
5h	Encourage the Province to re-establish agricultural liaison services.	In progress	MAF has hired two regional extension specialists who focus on tree fruits and grapes.
5i	Encourage the Province to restrict the sale of trees that can negatively impact the agricultural industry.	Ongoing	Sales of fruit trees from out of province or country are restricted.
5j	Partner and build relationships with community-based organizations working on pollinator protection initiatives.	Not started	

Attachment B: Agriculture Plan Performance Indicators

LEGEND

Performing in the right direction







Performing in the wrong direction



Difference in performance is minimal



Indicator/Target	Reporting frequency	Data	Performance
1. & 2. Ongoing, short-term, medium-term and long-term actions are implemented according to phases <i>(note: in the Agriculture Plan it was suggested to ongoing and completed actions separately but to eliminate confusion these have been combined into one indicator)</i>			
1.1/2.1	Phase 1	58% of all actions ongoing/completed <i>(note: no additional resources provided)</i>	
1.2/2.2	Phase 2	67% of all actions ongoing/completed <i>(note: further 16% of actions are no longer applicable or not proceeding. Additional staff resources added at end of Phase 2)</i>	
1.3/2.3	Phase 3	Update to be provided at end of Phase 3	N/A
3. Land acreage in crop production increases			
3.1	Annually	2017 baseline 7183.5 ha 2018 = 6,178.7 ha (↓14.0%) 2019 = 6,665.6 ha (↓7.2%) 2023 = 6,507.3 (↓9.4%)	
3.2	Every 5 years	2016 baseline: 21,568 ha 2021 = 19,549 (↓9.3%)	
3.3	As available	ALUI data collection currently in progress	Data unavailable
4. New farm operations establish within the City of Kelowna			
4.1	Annually	2017 baseline: 1034 parcels 2018 = 918 parcels (↓11.2%) 2019 = 994 parcels (↓3.9%) 2023 = 983 parcels (↓4.9%) <i>(see map illustrating change between 2016 and 2023)</i>	
4.2	Every 5 years	2016 baseline: 767 farms 2021 = 709 farms (↓7.6%)	
4.3	Every 5 years	2016 baseline: 56.3 2021 = 57.8 (↓2.7%)	
5. The number of retail opportunities for local food producers increases			
5.1	Phase 1	Action is no longer proceeding	N/A
5.2	Phase 2		Data unavailable

Indicator/Target	Reporting frequency	Data	Performance	
6.	Compliance and enforcement of non-farm use on farmland is reinforced			
6.1	At least 5 non-farm use contraventions are closed off during each of Phase 1, Phase 2 and Phase 3 of the Agriculture Plan	Each Phase	From 2017 to Sep 20, 2023 214 files closed in Kelowna. ¹	
7.	Preservation of farmland within and outside of the ALR continues			
7.1	# hectares have been maintained or increased in the ALR and/or A1 (GIS data)	Each Phase	<p>Change ALR 2017 = 8,621 ha 2019 = 8,585 ha (↓0.4%) 2023 = 8,607 ha (↓0.4%)</p> <p>Change A1 + A2 2017 = 11,996 ha 2019 = 11,813 ha (↓1.5%) 2023 = 9,973.3 ha (↓16.9%)²</p>	
7.2	Number of OCP amendments outside of the Permanent Growth Boundary	Annually	From 2017 to 2023 5 amendments completed	
7.3	Number of parcels changed from a Resource Protection Area to Alternate FLU (2030 OCP), or from R-AGR to alternate FLU (2040 OCP)	Annually	From 2017 to 2023 Net parcel impact: 0 ³	

¹ Personal Communication, Dave Birchmore, ALC Compliance and Enforcement Supervisor. Data provide from January 2017 to Sept. 2023. Many contraventions are illegal placement of fill and storage of recreational and commercial vehicles.

² After adoption of new Zoning Bylaw in 2022, the A1 zone was split into A1 (ALR only) and A2 (other agricultural properties). Loss of agricultural land was already accounted for in the OCP (e.g. new Transit Facility, new subdivisions in McKinley and Black Mountain).

³ Net parcel impact is 0, as 1 amendment loss of REP(2030 OCP), 1 amendment gain of R-AGR(2040 OCP), and 1 amendment swap of parcel designations.



City of
Kelowna

Agriculture Plan Progress Report

November 2023



Agriculture in Kelowna

- ▶ 46% of the land base dedicated to Agriculture (A1 (ALR) & A2 zone)
- ▶ 983 parcels equaling 6,507 actively farmed in Kelowna
- ▶ \$190 million in farm operating revenue (2021, Central Okanagan)
- ▶ Provides local food security, attenuates stormwater, mitigates flood and wildfire risk, reduces heat island, tourism
- ▶ Crops and farm products have national and international reputation

Ag Plan background

- ▶ Vision

Kelowna is a resilient, diverse, and innovative agricultural community that celebrates farming and values farmland and food producers as integral to our healthy food system, economy and culture.

- ▶ 52 recommendations (actions)

- ▶ 30 actions with existing resources
- ▶ 22 actions if additional resources

- ▶ 13 indicators to measure success



Changes since 2017

- ▶ ALC Act and ALR Regulations amendments
- ▶ COVID-19 pandemic
- ▶ Climate hazards affecting production
- ▶ New City policy and plans (OCP, TMP, etc.)
- ▶ New Council Priorities

CBC

Agricultural sector bracing for Okanagan wildfire season after dry spring

New Agricultural Land Reserve regulations take effect

severe

Legislation bans mega-mansions and penalizes illegal dumping

CBC News · Posted: Feb 23, 2019 3:51

Crime, safety, affordable housing and other priorities endorsed by Kelowna council

'During the election last fall, citizens told us directly what is important to them'

KELOWNA ADOPTS NEW OCP

Kelowna city council has adopted its roadmap for future growth over the next 20 years

Wayne Moore · Oct 27, 2021 / 4:00 am



CityNews Vancouver

Okanagan growers continue with harvests

The show must go on, and orchards in the Okanagan are pushing on with their harvests, despite the wildfires and smoke.

Aug 22, 2023

EXTREME DROUGHT DECLARED

Extreme drought declared in Central, North Okanagan by Ag Canada

Colin Dacre · Aug 14, 2023 / 5:49 pm

CBC

Trucking industry working to get around catastrophic B.C. highway closures

The 4 highway links between the Lower Mainland and B.C.'s Interior are closed, rattling supply chains. Rafferty Baker · CBC News · Posted:...

Nov 17, 2021

Agriculture Plan relationships



Action progress

- 35 Completed or ongoing
- 7 In progress
- 2 Not started
- 8 No longer applicable / Not proceeding



Action highlights

- ▶ Increased coordination efforts with ALC Compliance & Enforcement
- ▶ Reinforcement of PGB in new OCP
- ▶ Revised Farm DP Guidelines in new OCP
- ▶ Ag zoning refinements in new Zoning bylaw
- ▶ Mow/chip/rent/buy rebate
- ▶ New term agricultural planner position



Evaluating success



5 indicators performing
in the right direction



2 indicators with minimal
difference



4 indicators performing in
the wrong direction



Next Steps

- ▶ Completing Agriculture Land Use Inventory
- ▶ Regional Agricultural Round Table
- ▶ Continue to integrate agricultural lens into other City policies and plans
- ▶ Continue with “ongoing” and “in progress” actions
- ▶ Investigate options for “not started” actions
- ▶ Participate in Regional Agricultural Strategy (scheduled for 2024)



City of
Kelowna

Questions?

For more information, visit kelowna.ca.

Report to Council



Date: November 6, 2023
To: Council
From: City Manager
Subject: 2024/25 BC Active Transportation Grant Application
Department: Integrated Transportation

Recommendation:

THAT Council receives for information the report from Integrated Transportation dated November 6, 2023, with respect to the 2023/24 BC Active Transportation Grant;

AND THAT Council authorize staff to apply for two Active Transportation Infrastructure Grants for the Rail Trail to Greenway ATC and Bertram Multi-Use Overpass projects, as outlined in this report;

AND THAT The City of Kelowna confirms the above-mentioned projects are municipal priorities, planned for construction in 2024 and intended to be complete within the required timeline for the grant;

AND THAT Council support staff to manage all tasks necessary to complete the grant, if successful;

AND THAT the 2024 Financial Plan be amended to include the receipt of funds if the grant application is successful;

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

Purpose:

To authorize staff to apply for a BC Active Transportation Infrastructure Grant for the Rail Trail to Greenway and Bertram Multi-Use Overpass.

Council Priority Alignment:

Transportation

Background:

The Province of British Columbia’s Active Transportation Infrastructure Grant Program supports active transportation networks that are safe, accessible, and convenient for all ages and abilities.

Local governments are allowed to submit applications for two projects, covering 50 per cent of eligible costs to a maximum of \$500,000 per project. The City has received \$7.2 million in financial support through this program since 2014.

Discussion:

The Bertram Multi-Use Overpass will provide an accessible connection for people walking, rolling, and biking across Highway 97 between the Central Green development and downtown. The overpass is the first phase of the Bertram ATC Corridor, a 1.3km bike route across downtown and providing ready access to UBC Okanagan's new campus.

The Rail Trail to Greenway ATC will add 600 metres of protected bike lanes to Leckie Rd, between Dilworth Dr and Highway 97 N. This will connect to the existing multi-use pathway on Leckie Rd south of the highway. It will complete the first link between two of Kelowna's primary off-street active transportation corridors – the Okanagan Rail Trail and Mission Creek Greenway.

Conclusion:

These projects are in alignment with the 2040 Official Community Plan, 2040 Transportation Master Plan, 10-Year Capital Plan, Community for All Action Plan, and will help achieve Council's Priority of more trips by alternative transportation modes.

If these applications are successful, the City will use the funding to substitute for existing project funding, address potential cost overruns or scope changes, and explore opportunities to accelerate additional infrastructure for walking and biking identified in the 10-Year Capital Plan.

Internal Circulation:

Financial Services
Communications
Partnerships Office

Considerations applicable to this report:

Financial/Budgetary Considerations:

Funding of \$12.1 million for the Bertram Multi-Use Overpass is currently included in the 2023 Financial Plan.

Funding of \$3.95 million for the Rail Trail to Greenway ATC is included in the 10-Year Capital Plan approved by Council in July 2023. A budget request for that amount will be included in the 2024 Preliminary Budget for Council's consideration in December 2023.

Considerations not applicable to this report:

Communications Comments:

Consultation and Engagement:

Existing Policy:

External Agency/Public Comments:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Personnel Implications:

Submitted by: C. Noonan, Transportation Planner

Reviewed by: B. Hallam, Integrated Transportation Department Manager

Approved for inclusion: M. Logan, Infrastructure General Manager

cc: Divisional Director, Corporate Strategic Services
Divisional Director, Financial Services
Divisional Director, Partnership & Investments

DRAFT RESOLUTION

Re: 2024 Council Meeting Schedule

Staff is recommending the following schedule for regular Council Meetings in 2024:

THAT the 2024 Council Meeting Schedule be adopted as follows:

Monday Regular Meetings

January 8, 15, and 22
February 5, 12 and 26
March 4, 11, 18 and 25
April 8, 15, and 22
May 6, 13, 27
June 3, 17, 24, and 26*
July 8 and 22
August 12 and 26
September 9 and 23
October 7, 21 and 28
November 4, 18 and 25
December 2, 5* and 9

Tuesday Council Meetings

January 16
February 13
March 12
April 9
May 14
June 18
July 23
August 13
September 10
October 8
November 5

- * June 26th – Pre-Budget Council Meeting
- * December 5th – 2024 Budget Deliberations

BACKGROUND:

The recommended schedule provides for thirty-three (33) Monday Council Meetings (excluding the June 26th Pre-Budget Council Meeting and the December 5th 2024 Budget Deliberations) and eleven (11) Tuesday Council Meetings. As in previous years, the schedule accommodates Council's attendance and participation at the SILGA, FCM and UBCM annual conventions.

Date: November 6, 2023
File: 0610-50

DRAFT RESOLUTION

Re: Addition of Public Hearing and Regular Meeting – November 28, 2023

THAT an additional Public Hearing and Regular Meeting of Council be held on November 28, 2023 at City Hall, Council Chambers, 1435 Water Street, Kelowna B.C.

BACKGROUND:

The November 21, 2023 Public Hearing date is set aside for the Short Term Rental Zoning Bylaw Text Amendment.

Date: November 6, 2023

CITY OF KELOWNA

Bylaw No. 12584

Amendment No. 25 to Subdivision, Development and Servicing Bylaw No. 7900

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Subdivision, Development and Servicing Bylaw No. 7900 be amended as follows:

1. THAT **Part 1 – Introduction, Section 4.0 Definitions** be amended by
 - 1.1. Adding the following definition to Subsection 4.1:

“General Manager, Infrastructure” means the person appointed as such and includes their lawful designate(s).”
2. THAT **Part 5 – Owner to Perform Work, Section 9.0 Design and Construction Requirements** be amended by
 - 2.1. Deleting Subsection 9.6 in its entirety and replacing with the following:

“As-Built/Record Drawings and Electronic Information. The Owner must provide the City in accordance with Section 9.5, Item (d) and Engineering Drawing Submission Requirements with detailed, reproducible as-built drawings of the Works and Services, sealed by the Consulting Engineer, and City compatible electronic information, as Constructed as of the date of Substantial Performance.”
3. THAT **Schedule 4 – Design Standards, General** be amended by
 - 3.1. Deleting “Policy 265 (Engineering Drawing Submission Requirements).” and replacing with “Engineering Drawing Submission Requirements.”
 - 3.2. Deleting “**Delegation of Authority for Approved Products List** Provided that all necessary prerequisites of the *Community Charter* the *Local Government Act*, other applicable federal and provincial enactments, City bylaws, and City policies have been met, the General Manager, Infrastructure is assigned the authority to approve and amend the Approved Products List on behalf of the City.” and replacing with the following:

“Delegation of Authority for Approved Products List and Engineering Drawing Submission Requirements

Provided that all necessary prerequisites of the *Community Charter*, the *Local Government Act*, other applicable federal and provincial enactments, City bylaws, and City policies have been met, the General Manager, Infrastructure is assigned the authority to approve and amend the Approved Products List and the Engineering Drawing Submission Requirements on behalf of the City.”
4. This bylaw may be cited as "Bylaw No. 12584, being Amendment No. 25 to Subdivision, Development and Servicing Bylaw No. 7900".
5. 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 October 30, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk