

City of Kelowna
Regular Council Meeting
AGENDA



Monday, March 3, 2025
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 - 12

PM Meeting - February 24, 2025

3. Development Application Reports & Related Bylaws

3.1 Lakeshore Rd 5570 - OCP24-0011 Z24-0036 - Peter A. Stalenhoef and Janet C. Stalenhoef

13 - 55

The City Clerk to invite the Applicant or Applicant's Representative to come forward.

To review a Staff recommendation to NOT amend the Official Community Plan and to NOT amend the City of Kelowna Zoning Bylaw that would facilitate a two-lot subdivision for the construction of a single detached dwelling.

3.2 Pacific Ave 1239 - Z25-0001 (BL12760) - 1309118 B.C. Ltd., Inc.No. BC1309118

56 - 93

To rezone the subject property from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone to facilitate a rental apartment building..

3.3 Wilson Ave 908 - LL25-0002 - Kelowna (British Columbia/Yukon Command No. 26) Branch of the Royal Canadian Legion

94 - 117

To seek Council's support for a relocation of licence with a structural change to increase the overall capacity to 213 persons.

3.4	Union Rd 1975 - Z21-0056 (BL12481) - Rescind Rezoning Bylaw	118 - 119
	To rescind all three readings given to Rezoning Bylaw No. 12481 and direct Staff to close the file.	
3.5	Union Rd 1975 - BL12481 (Z21-0056) - Multiple Owners	120 - 120
	To rescind all three readings given to Rezoning Bylaw No. 12481.	
3.6	Updates to Short-Term Rental Regulations - City of Kelowna	121 - 135
	To amend the Zoning Bylaw to align short-term rental regulations with the Provincial short-term rental legislation.	
4.	Non-Development Reports & Related Bylaws	
4.1	HAF Transit Supportive Corridor Planning Pilot Project	136 - 169
	To receive information and provide direction on Phase 1 of the Transit Supportive Corridor Pilot Project and to advance Phase 2.	
4.2	Tenant Protection - Next Steps	170 - 193
	To advance tenant protection measures and direct staff to prepare bylaw amendments.	
4.3	Grant Resolution - UBCM CEPF Emergency Operations Centre Regional Application	194 - 195
	To support the Regional District to apply for the grant funding Regional Emergency Operations Centre Equipment and Training Grant application for a maximum of \$240,000.	
4.4	Deterrent Spray Bylaw	196 - 203
	To adopt a bylaw regulating the sale of Deterrent Sprays (e.g. bear sprays) from businesses.	
4.5	BL12678 - Sale of Deterrent Spray	204 - 205
	To give Bylaw No. 12678 first, second and third reading.	
4.6	BL12679 - Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475	206 - 207
	To give Bylaw No. 12679 first, second and third reading.	
4.7	City of Kelowna Tariff Response Update	208 - 210
	The purpose of this report is to provide information to Council on the City of Kelowna's organizational response to recent tariff threats from the United States.	

5. Mayor and Councillor Items

6. Termination



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, February 24, 2025
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Deputy Mayor Luke Stack, Councillors Ron Cannan, Maxine DeHart, Gord Lovegrove, Mohini Singh, Rick Webber and Loyal Wooldridge
Members Absent	Mayor Tom Dyas**, Councillor Charlie Hodge**
Staff Present	City Manager, Doug Gilchrist; City Clerk, Laura Bentley; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*; Acting Development Planning Manager, Adam Cseke*; Planner Specialist, Tyler Caswell*; Development Planning Manager, Alex Kondor*; Planner Specialist, Kimberly Brunet*, Planner, Jason Issler*; Planner Specialist, Mark Tanner*; Acting Director, Finance and Corporate Services, Parth Patel*; Divisional Director, Partnership & Investments, Derek Edstrom*; Parks Planning and Design Manager, Melanie Steppuhn*; General Manager, People and Protective Services, Stu Leatherdale*, Fire Chief, Dwight Seymour*; Assistant Fire Chief Mitigation & Prevention, Dennis Craig*; Climate Action and Environment Manager, Chris Ray*; Community Energy Specialist, Todd Brunner*; Legislative Technician, Natasha Beauchamp*
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance; ** Denotes leave of absence)

1. Call to Order

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

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

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

2. Confirmation of Minutes

Moved By Councillor DeHart/Seconded By Councillor Lovegrove

THAT the Minutes of the Regular Meetings of February 10, 2025 be confirmed as circulated.

Carried

Deputy Mayor made comments regarding an upcoming fundraiser event to support local musician Anna Jacyszyn in her recovery from a serious vehicle accident.

3. Public in Attendance

3.1 Applebrooke Cr 154 - DVP24-0200 - Isaac Anthony Smit

City Clerk:

- Provided opening remarks on the reconsideration request and procedure.

Staff:

- Displayed a PowerPoint Presentation summarizing the Development Variance Permit reconsideration and reason for non-support.

Lisa Schumacher, Planner, McElhanney

- Displayed a PowerPoint Presentation.
- Representing the owner who is also present and available for questions.
- The MF1 zoning is to provide infill development in the neighborhood; the lot area is more than four times the required size for the MF1 zone.
- Seeking approval for a reduction in lot width from the required 13 m to 9.9 m, to facilitate a two-lot subdivision.
- Spoke to concerns related to shared driveway, landscaping and limited frontage.
- Spoke to changes made to mitigate concerns since the previous application.
- Commented that public concerns mostly revolved around tenant-related issues and advised that the tenant in question is no longer residing at the property since 2023.
- Proposing a restrictive covenant to the variance approval to limit density on the property; an easement agreement to address driveway functionality.
- Provided a summary of implications of the application being approved or not approved.

Gallery

Chris Ritter, Applebrooke Crescent

- Raised concerns with how the property has been operated; previous commitments to the community were not fulfilled.
- Raised concerns with the negative impacts this property has had on the neighbourhood.
- Would like to keep their neighbourhood quiet with single family detached homes.
- Raised concerns with increased traffic and on-street parking.

Wayne Johnson, Applebrooke Crescent

- Raised a safety concern regarding access at the walkway from Applecrest Court above Applebrooke Crescent as children use this walkway daily into the subdivision and this hidden driveway may be dangerous.
- Raised concerns regarding the narrow driveway as drivers have driven over the adjacent front yard.

Isaac Smit, Ellis Street, Owner/Applicant

- Spoke to the previous problematic tenant and acknowledged that most of the concerns within the neighbourhood were related to the tenant.
- Spoke to the lot already being zoned MF1 and that additional units can be built.
- Commented that rocks placed by a neighbour being over their property line.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Cannan

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP24-0200 for Lot 46 Section 5 Township 23 ODYD Plan KAP47769, located at 154 Applebrooke Cr, Kelowna, B.C.

Carried

4. Development Application Reports & Related Bylaws

City Clerk:

- Recommended deferring Item 4.10.2 Glenmore Dr 1210, 1220, and 1226 - BL12747 (Z24-0059) due to minor signage error.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council defer reading consideration of Bylaw No. 12747 to March 10, 2025.

Carried

4.1 Multiple Properties - OCP24-0013 (BL12743) - City of Kelowna

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Official Community Plan Map Amendment Application No. OCP24-0013 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of 100 parcels described in Schedule 'A', be considered by Council;

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

Carried

4.2 Multiple Properties - BL12743 (OCP24-0013) - City of Kelowna

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12743 be read a first time;

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

4.3 Multiple Properties - Z24-0060 (BL12748) - City of Kelowna

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Rezoning Application No. Z24-0060 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of 81 parcels described in Schedule 'A', be considered by Council;

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

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

Carried

4.4 Multiple Properties - BL12748 (Z24-0060) - City of Kelowna

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12748 be read a first time.

Carried

4.5 Patterson Rd 350 - Z24-0063 (BL12753) - Gurjit Kaur Bhullar and Harsimran Singh Bhatti

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Webber/Seconded By Councillor Singh

THAT Rezoning Application No. Z24-0063 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 15 Section 26 Township 26 Osoyoos Division Yale District Plan 22239, located at 350 Patterson Rd, Kelowna, BC from the MF1 – Infill Housing zone to the MF1cc – Infill Housing with Child Care Centre, Major zone, be considered by Council.

Carried

4.6 Hwy 97 N 3699 - Z24-0061 (BL12754) - University Business Park Ltd., Inc. No. 431185

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Rezoning Application No. Z24-0061 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of LOT 3 SECTION 35 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN KAP57139 EXCEPT PLAN EPP54134, located at 3699 Hwy 97 N, Kelowna, BC from the C2 - Vehicle Oriented Commercial zone to the C2rcs - Vehicle Oriented Commercial Retail Cannabis Sales zone, be considered by Council;

AND THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the Provincial Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed store location meets local government bylaw requirements and as such, no negative impact is anticipated;

- The views of the residents were captured through the public notification process for the rezoning of the property and provided to Council for consideration; and
- Local government recommends that the application be approved because of the compliance with local regulations and policies.

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

Carried

4.7 Gordon Dr 5091 - Z24-0030 (BL12755) - Highstreet Canyon Falls Apartments Ltd., Inc. No. BC1311111

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor DeHart

THAT Rezoning Application Z24-0030 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 4 District Lot 579 Similkameen Division Yale District Plan EPP118981, located at 5091 Gordon Dr, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the MF2 – Townhouse Housing zone, be considered by Council.

Carried

4.8 Dougall Rd N 465-495 - Z24-0062 (BL12756) - 1470626 B.C. Ltd., Inc. No. BC1470626

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Rezoning Application Z24-0062 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot A Section 26 Township 26 ODYD Plan EPP125056, located at 465-495 Dougall Rd N, Kelowna, BC from the UC4 – Rutland Urban Centre zone to the UC4r – Rutland Urban Centre Rental Only zone, be considered by Council;

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

Carried

The meeting recessed at 2:59 p.m.

The meeting reconvened at 3:11 p.m.

4.9 Rezoning Bylaws Supplemental Report to Council

Staff:

- Noted that the rezoning application for 1210, 1220, and 1226 Glenmore Dr (Z24-0059) was deferred until March 10, 2025.
- Commented on notice of first reading and correspondence received.

4.10 Text Amendment and Rezoning Applications

4.10.1 Content Changes - BL12742 (TA24-0021) - City of Kelowna

4.10.3 Secondary Suites in Townhouses - BL12751 (TA24-0017) - City of Kelowna

4.10.4 Laurier Ave 964 - BL12752 (Z24-0057) - 608698 B.C. Ltd., Inc. No. BCo608698

Moved By Councillor Webber/Seconded By Councillor Cannan

THAT Bylaw Nos. 12742, 12751 and 12752 each be read a first, second and third time.

Carried

4.11 Rezoning Applications

4.11.1 Stillingfleet Rd 2236 - BL12749 (Z24-0047) - Kevin and Jacqueline Fierbach

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Bylaw No. 12749 be read a first, second and third time and be adopted.

Carried

Councillor Cannan - Opposed

4.11.2 Stillingfleet Rd 2248 - BL12750 (Z24-0048) - 2248 Stillingfleet Road Inc.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Bylaw No. 12750 be read a first, second and third time and be adopted.

Carried

Councillor Cannan - Opposed

4.12 Water St 1346 - LL24-0022 - DHL No. 48 Holdings Ltd., Inc. No. C1105825

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Singh

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with Division 9 (71) of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Diligent Liquor Management for a licence amendment for Lot 1 District Lots 139, 4041 and 4082 ODYD Plan KAP73542, located at 1346 Water Street, Kelowna, BC for the following reasons:
 - o Council Policy 359 recommends supporting hours of operations no later than 2:00am within the Central Area when the capacity does not exceed 500 persons. The proposed hours, indoor and patio, as well as the increased capacity requests comply with this policy.
2. Council's comments on LCRB's prescribed considerations are as follows:

- o The potential for noise if the application is approved:
The potential impact for additional noise is minimal as the patio has been existing for several years in the present location on a temporary basis.
 - o The impact on the community if the application is approved:
The potential for negative impacts is minimal as the area supports several similar patios in a tourist and pedestrian oriented area.
3. The views of residents are summarized in the Staff report for the subject application. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

Carried

4.13 Valley Road N 212 - DP24-0165 - City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council authorizes the issuance of Development Permit No. DP24-0165 for that part of Lot 13 Block 5 Section 4 Township 23, ODYD Plan 896 shown as Okanagan Hwy (proposed) and two parts as 50 ft Access Road all of which are dedicated as road on Plan 11656, located at 212 Valley Road N, 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 the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

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

Carried

4.14 Pandosy St 2606-2696 - DP24-0132 - Hyeum Properties Ltd., Inc. No. BC1203139

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Council authorizes the issuance of Development Permit No. DP24-0132 for Lot A District Lot 14 ODYD Plan 33506, located at 2606 – 2696 Pandosy Street, Kelowna, BC subject to the following:

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

2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;
5. The applicant be required to make a payment into the Public Amenity & Streetscape Capital Reserve Fund as established by Bylaw No. 12386 in accordance with Table 6.8.a in Zoning Bylaw No. 12375

AND THAT the applicant be required to complete the above noted conditions of Council's approval for the Development Permit application in order for the permits to be issued;

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

Carried

Councillors Cannan and Lovegrove - Opposed

5. Non-Development Reports & Related Bylaws

5.1 2024 Annual Report - Airport Chief Executive Officer Delegation of Authority

Staff:

- Provided a summary of the delegated approvals by the Airport Director in 2024.

Moved By Councillor Lovegrove/Seconded By Councillor Cannan

THAT Council receive for information the report from Kelowna International Airport dated February 24, 2025, with respect to the transactions approved by the Airport Chief Executive Officer in accordance with the Delegation of Authority to Enter into Agreements Bylaw 11961 for the period starting January 1, 2024, and ending December 31, 2024.

Carried

5.2 Parks in Review - 2024

Staff:

- Displayed a PowerPoint Presentation providing an update on park acquisitions and development in 2024, major park initiatives for 2025, and responded to the questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the Parks in Review – 2024 Report from the Parks Planning & Design Department dated February 24, 2025.

Carried

5.3 Knox Mountain Prescribed Fire Project

Staff:

- Displayed a PowerPoint Presentation outlining the Knox Mountain prescribed fire project and responded to the questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Webber

THAT Council receives, for information, the report from the Fire Department dated February 24, 2025, regarding the prescribed fire project on Knox Mountain in 2025.

Carried

5.4 Next Steps on Energy Efficient, Low Carbon New Homes

Staff:

- Displayed a PowerPoint Presentation providing an update on policies related to energy efficient and low carbon new buildings and responded to the questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from the Climate Action and Environmental Stewardship Department dated February 24, 2025, with respect to Energy Step Code and Zero Carbon Step Code.

AND THAT Council directs staff to engage with the community on an Energy Step Code and Zero Carbon Step Code implementation plan that accelerates adoption of low-emission, efficient new buildings.

Carried

6. Mayor and Councillor Items

Councillor Singh:

- Made a Notice of Motion to advance the North Glenmore Plan currently identified in the Official Community Plan.

Councillor DeHart:

- Spoke to their attendance at the CFA Society Okanagan Annual 60th Anniversary dinner.
- Spoke to the attendance at the 24th Annual Community Sport Hero Award event.
- Spoke to the 50th Civic and Community Awards on May 8, 2025.
- Spoke to their attendance at the 41st Annual Heritage Awards where the City received a Conservation Award for The Rotary Marsh Park.
- Spoke to their attendance at the WeBC Women Entrepreneurs 30th Anniversary luncheon.
- Spoke to their attendance at the Salvation Army Community Partners Appreciation Breakfast for volunteers.

Councillor Lovegrove:

- Acknowledged the community commemoration of the third anniversary of the Invasion of Ukraine.
- Reminder of Pink Shirt Day on Wednesday, February 26, 2025 for anti-bullying.
- Will be attending the Central Okanagan Economic Development Commission meeting on Wednesday, February 26, 2025.

Councillor Stack:

- Spoke to their attendance at the Coldest Night of the Year event on Saturday night.
- Commented on Pink Shirt Day, Wednesday, February 26, 2025 for anti-bullying.

7. Termination

This meeting was declared terminated at 5:17 p.m.

Deputy Mayor Stack

/acm



City Clerk

REPORT TO COUNCIL

OCP & REZONING



Date: March 3, 2025
To: Council
From: City Manager
Address: 5570 Lakeshore Rd
File No.: OCP24-0011 and Z24-0036

	Existing	Proposed
OCP Future Land Use:	R-AGR – Rural Agricultural & Resource S-RES - Suburban Residential	S-RES – Suburban Residential
Zone:	A2 – Agriculture/Rural Residential	RR2 – Small Lot Rural Residential

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP24-0011 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban - Residential designation, as shown on Map “A” attached to the Report from the Development Planning Department dated March 3, 2025, NOT be considered by Council;

AND THAT Rezoning Application No. Z24-0036 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC from the A2 – Agriculture/Rural Residential zone to the RR2 – Small Lot Rural Residential zone as shown on Map “B” attached to the Report from the Development Planning Department dated March 3, 2025, NOT be considered by Council.

2.0 Purpose

To review a Staff recommendation to NOT amend the Official Community Plan and to NOT amend the City of Kelowna Zoning Bylaw that would facilitate a two-lot subdivision for the construction of a single detached dwelling.

3.0 Development Planning

Staff do not support the proposed Official Community Plan (OCP) and Rezoning amendments to facilitate a two-lot subdivision for a property located outside of the Permanent Growth Boundary (PGB). The proposal is inconsistent with the objectives of the Official Community Plan (OCP) which discourages subdivision for properties located outside of the PGB and to stop urban sprawl into rural lands.

The subject property is a single parcel with Lakeshore Rd. dissecting it into two. The property is split zoned; the northern portion of the property is zoned RR2 – Small Lot Rural Residential with a future land use designation of R-RES – Rural Residential, whereas the southern portion is zoned A2 – Agriculture/Rural Residential and is designated R-AGR – Rural Agricultural and Resource. The applicant is proposing to

subdivide the parcel into a northern and a southern lot and construct a single detached dwelling on the newly created southern lot.

The subject property and the neighbouring residential lots are outside of the PGB. The PGB serves as the City's Urban Containment Boundary. As per OCP policies, lands outside the PGB are not supported for urban uses, as well Agriculture Land Reserve (ALR) and non-ALR lands outside the PGB are not supported for any further parcelization.

Additionally, the subject property resides within the Rural Lands Growth District. Rural Lands are located outside of the PGB and are mostly composed of agricultural lands and natural areas. Small pockets of residential neighbourhoods are also included in these areas; however, they are not signalled for growth. Protection of these agricultural and natural lands is the top priority in this District. The land use approach in Rural Lands aims to preserve them for agricultural and rural purposes and focusing urban growth to districts that are inside the PGB.

The OCP signals Rural Residential lands as being developed for low-density residential use due to their rural location, as such these areas may or may not have urban utility services. No further intensification is supported in these locations, as doing so would increase interface issues with agricultural lands and places a greater burden on transportation and utility infrastructure. Whereas Rural Agricultural and Resource designation applies primarily to lands used for agricultural purposes both inside and outside of the ALR. The designation also includes lands that are not actively farmed, but which are located outside of the PGB, as is the case with the subject property. This designation primarily aims to protect agricultural lands from urban encroachment and incompatible uses, and in doing so, reinforces the PGB and focuses growth into lands within the PGB. Lands within the Rural – Agricultural and Resource designation are supported for agricultural, and resource uses but are not supported for urban development or for uses that could have a negative impact on agriculture. Although the subject property is not located in the ALR, it is adjacent to a property with active agriculture, which is a permitted principal use in the A2 zone, as a result increasing interface issues with agricultural lands.

Finally, the subject lot is not serviced by community sanitary sewer system. As per Section 6.6 of the Zoning Bylaw, for any rural residential use, no lots shall be created that are less than 1.0 hectares in total area unless they are serviced by a community sanitary sewer system. The only exception to this provision is subdivisions approved by the Provincial Agricultural Land Reserve Commission for a homesite severance or an institutional lot. The minimum lot area provision is reflective of the Provincial and Okanagan Basin Water Board (OBWB) wastewater 1.0 hectare Policy. To meet the minimum area requirement, the applicant is proposing to purchase lands from the neighbouring property to the south of the A2 lot, located at 5600 Lakeshore Rd.

If these OCP amendment and rezoning applications are supported by Council, an additional OCP amendment and rezoning application would also be required for the newly purchased portion of lands. Additionally, the applicant would be required to submit a subdivision application to consolidate the lands in order to satisfy the 1.0 hectare lot size requirement for each proposed lot under the RR2 zone, and an Environmental and Natural Hazard Development Permit prior to permits being issued for site works and construction on the site.

Lot Area	Proposed (m ²)
Gross Site Area	12,881
Road Dedication	N/A
Undevelopable Area	Approx. 5,680
Net Site Area	Approx. 7,201

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

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	Okanagan Lake	N/A
East	RR1 – Large Lot Rural Residential A2 – Agriculture / Rural Residential	Single detached dwelling Vacant
South	A2 - Agriculture / Rural Residential	Agriculture Vacant
West	RR1 – Large Lot Rural Residential A2 - Agriculture / Rural Residential	Agriculture Vacant

Subject Property Map: 5570 Lakeshore Rd



The subject property resulted from a subdivision dating June of 1997. There are two single detached dwellings located on the northern portion of the property, zoned RR2 – Small Lot Rural Residential. There is an accessory structure located on the southern portion of the property, zoned A2 - Agriculture/Rural Residential zone. The property is close to Bertram Regional Park and Okanagan Mountain Park, and it is not serviced by public transit. The nearest Village Centre is the Ponds Village Center, approx. 6.0 km east (as the crow flies) and the nearest transit stop is over 2.0 km east (as the crow flies) of the subject property.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

<p>Chapter 1: The Big Picture - 10 Pillars to Realize Our Vision</p> <p>Protect and Restore Our Neighbourhood: Over the past century, Kelowna’s growth has come at the cost of the natural environment and many priceless natural ecosystems have been lost or severely compromised. However, Imagine Kelowna envisions a city where the protection of land, water and air resources is strengthened, and the health of Okanagan Lake is preserved. The Official Community Plan supports this vision by protecting ecosystems and restoring others to a healthier state.</p> <p>Rural Lands: Rural Lands are located outside of the Permanent Growth Boundary and are mostly composed of agricultural lands and natural areas. Small pockets of residential neighbourhoods are also included in these areas; however, they are not signalled for growth. Protection of these agricultural and natural lands is the top priority in this district.</p>
<p>Chapter 3: Future Land Use</p> <p>Rural – Residential (R-RES) Growth Strategy Role: Rural Residential lands have been developed for low-density residential use and are generally located outside of the Permanent Growth Boundary (PGB) in the Rural Lands district. Due to their rural location, these areas may or may not have urban utility services. However, some residential neighbourhoods that have servicing or are signalled for servicing for health and safety reasons are also included in this designation. No further intensification would be supported in these locations, as doing so would increase interface issues with agricultural lands and places a greater burden on transportation and utility infrastructure. However, secondary suites within a primary building are supported and carriage houses may be considered in certain circumstances.</p> <p>Permanent Growth Boundary: The Permanent Growth Boundary (PGB) serves as the City’s Urban Containment Boundary. Lands within the Permanent Growth Boundary may be considered for urban uses within the 20 year planning horizon ending 2040. Lands outside the Permanent Growth Boundary will not be supported for urban uses. ALR and non-ALR land outside the Permanent Growth Boundary will not be supported for any further parcelization.</p>

Objective 8.1 Protect and preserve agricultural land and its capability	
Policy 8.1.4 Urban Uses	Direct urban uses to lands within the Permanent Growth Boundary, to minimize development and speculative pressure on agricultural land. <i>The subject property is outside of the Permanent Growth Boundary.</i>
Objective 8.4 Stop urban sprawl into Rural Lands	
Policy 8.4.1 Intensification of Rural Lands	Do not support urban uses on lands outside the Permanent Growth Boundary. <i>The subject property is outside of the Permanent Growth Boundary.</i>
	Discourage further subdivision of properties outside the Permanent Growth Boundary

Policy Discourage Subdivision	8.4.2	<i>The subject property is outside of the Permanent Growth Boundary and is not serviced by community sanitary sewer system.</i>
-------------------------------	-------	---

6.0 Application Chronology

Application Accepted: July 30, 2024
 Date of Public Information Session: November 13, 2024
 Date of Information Summary Received: November 15, 2024

7.0 Alternate Recommendation

THAT Official Community Plan Map Amendment Application No. OCP24-0011 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban - Residential designation, as shown on Map “A” attached to the Report from the Development Planning Department dated March 3, 2025, be considered by Council;

AND THAT Rezoning Application No. Z24-0036 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC from the A2 – Agriculture/Rural Residential zone to the RR2 – Small Lot Rural Residential zone as shown on Map “B” attached to the Report from the Development Planning Department dated March 3, 2025, be considered by Council;

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

AND THAT final adoption of the Official Community Plan Amending Bylaw and Rezoning Bylaw be considered subsequent to an application to amend the Official Community Plan and rezone the portion of property to be consolidated with the subject property;

AND THAT the applicant be required to complete a Subdivision Application prior to permits being issued for site works and construction on the site;

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

Report prepared by: Barbara B. Crawford, Planner II
Reviewed by: Alex Kondor, Development Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

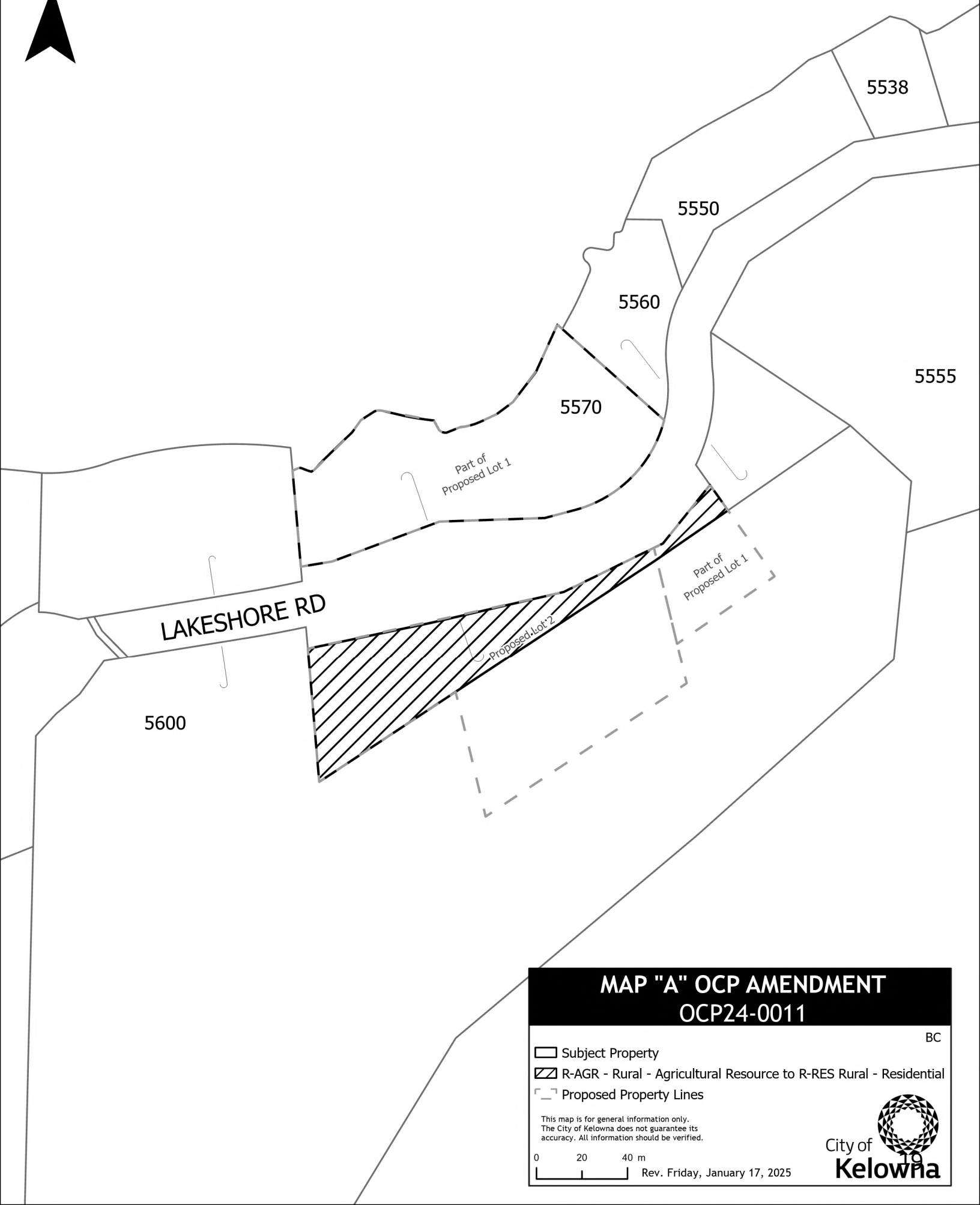
Attachments:
 Map A – OCP Amendment
 Map B – Zoning Amendment
 Attachment A: Draft Site Plan

Attachment B: Letter of Rationale

Attachment C: Summary of Public Information Session

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

N



MAP "A" OCP AMENDMENT OCP24-0011

BC

-  Subject Property
-  R-AGR - Rural - Agricultural Resource to R-RES Rural - Residential
-  Proposed Property Lines

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

0 20 40 m



Rev. Friday, January 17, 2025



N



5538

5550

5560

5555

5570

Part of Proposed Lot 1




LAKESHORE RD

Part of Proposed Lot 1

Proposed Lot 2

5600

MAP "B" ZONING AMENDMENT Z24-0036

-  Subject Property
-  A2 - Agricultural/Rural Residential to RR2 - Small Lot Rural Residential
-  Proposed Property Lines

BC

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

0 20 40 m

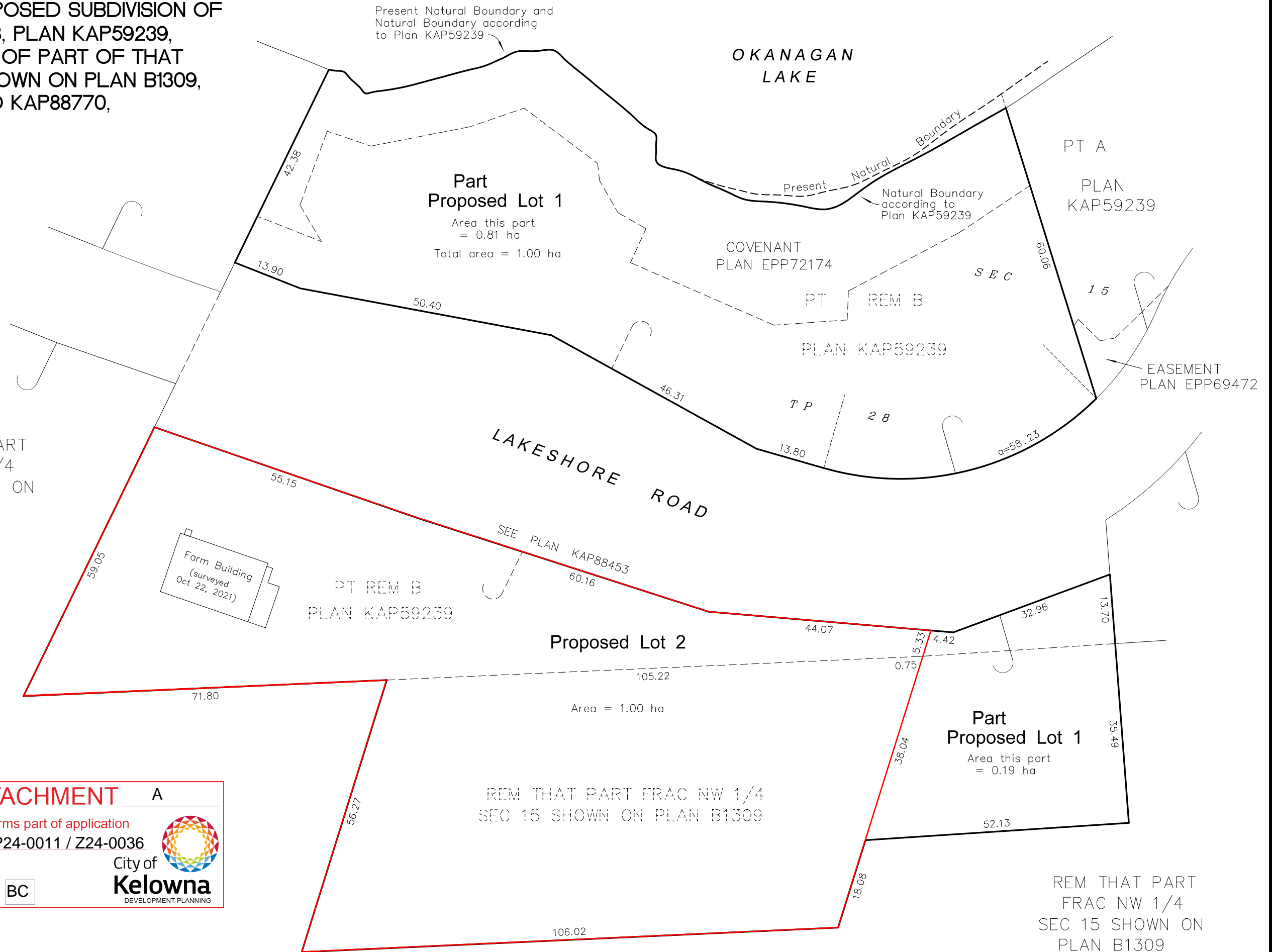
Rev. Friday, January 17, 2025



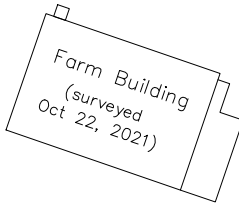
SKETCH PLAN SHOWING PROPOSED SUBDIVISION OF PART OF LOT B, SEC, 15 TP 28, PLAN KAP59239, EXCEPT PLAN KAP88453 AND OF PART OF THAT PART FRAC NW 1/4 SEC 15 SHOWN ON PLAN B1309, EXCEPT PLANS KAP84401 AND KAP88770, BOTH S.D.Y.D.

SCALE: 1:750 (11"x17")
 DATE: January 31, 2024
 DWG: 15384 Proposed Sub 2 R1
 CLIENT: Peter Stalenhoef

This plan shows surveyed building foundation on south side of Lakeshore Road only.



REM THAT PART
 FRAC NW 1/4
 SEC 15 SHOWN ON
 PLAN B1309



ATTACHMENT A

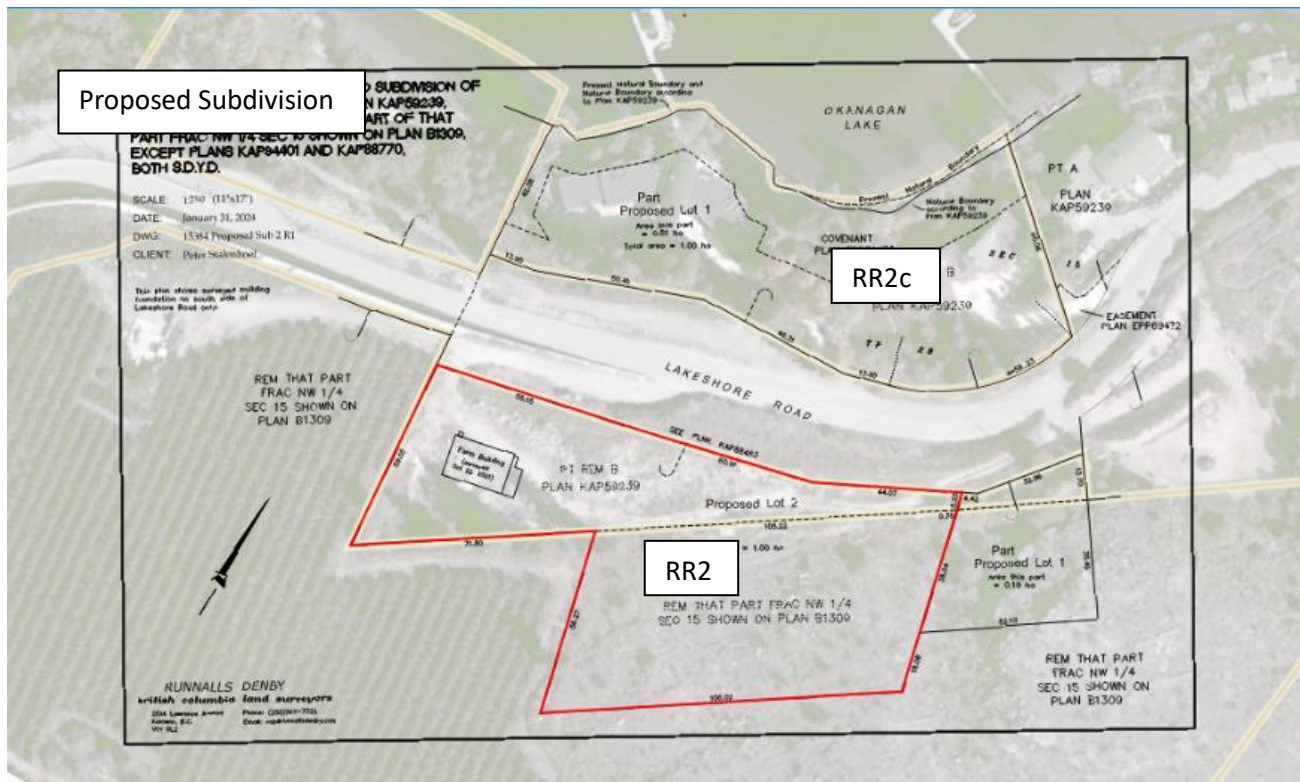
This forms part of application
 # OCP24-0011 / Z24-0036

Planner Initials **BC**

RUNNALLS DENBY
 british columbia land surveyors
 259A Lawrence Avenue Kelowna, B.C. V1Y 6L2
 Phone: (250)763-7322
 Email: rob@runnallsdenby.com

REM THAT PART
 FRAC NW 1/4
 SEC 15 SHOWN ON
 PLAN B1309

5570 Lakeshore Road – Rezoning + OCP Amendment Application Prior to Subdivision Application



Cover Letter



Date: July 2nd, 2024

Attention: City of Kelowna - Planning and Development Staff
City Hall
1435 Water Street
Kelowna BC
V1Y 1J4

Applicant: Steven Stalenhoef
780.221.6294
stevestalenhoef@gmail.com

Location: 5570 Lakeshore Road, Kelowna, BC, V1W 4J4
PLAN KAP59239 LOT B SECTION 15 TOWNSHIP 28 EXC EPT PLAN KAP88453

Subject: Rezoning Application + OCP Amendment prior to Subdivision Application for the construction of a single-family home.

Contents of Application Documents:

Included in this document is a Letter of Rationale as well as (4) site photos of the proposed lot. Attached as separate documents in this submission include:

- 1.0 Simple Development Application Package Form
- 2.0 Zoning Table Analysis
- 3.0 Proposed lot 1 and lot 2 Plan
- 4.0 Topographic Plan Survey
- 5.0 Preliminary Geotechnical Report
- 6.0 Environmental Sensitivity Analysis and Impact Assessment
- 7.0 Stamped Wastewater Practitioner Letter
- 8.0 Owners Authorization – Peter and Janet Stalenhoef
- 9.0 Owners Authorization – David Geen
- 10.0 Neighborhood Consultation Form
- 11.0 Summary of Neighbourhood Consultation
- 12.0 5570 Lakeshore Road-Title

Letter of Rationale

This document outlines the rationale supporting a Rezoning Application + OCP Amendment prior to Subdivision Application for the construction of a single-family home. The existing parcel at 5570 Lakeshore Road is currently divided and severed by Lakeshore Road and holds a split zoning of RR2c / A2. The portion of the current parcel that is located on the South side of Lakeshore Road is vacant land with a farm building.

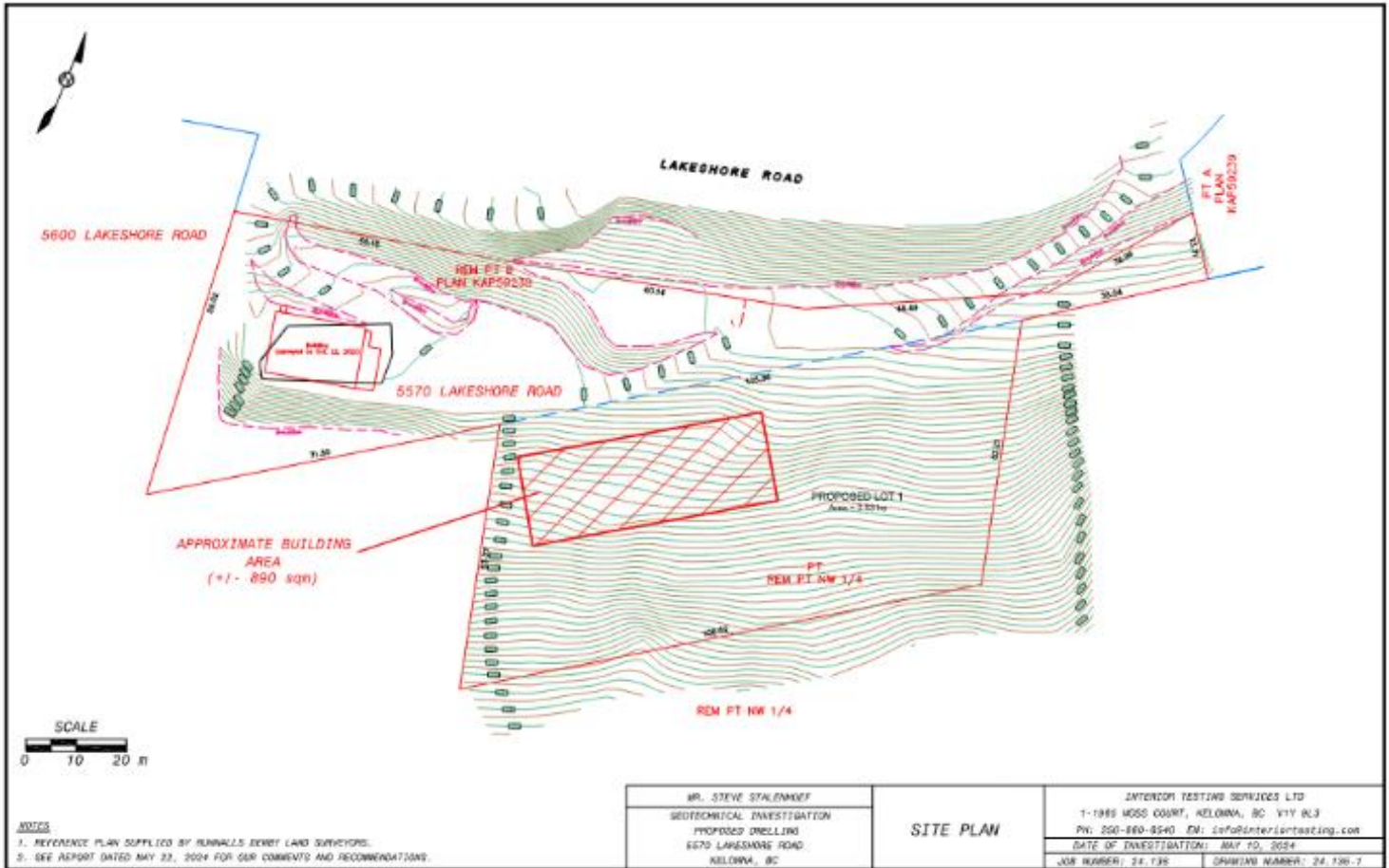
This application involves the purchase, re-zoning, and consolidation of land from a neighboring property located at 5600 Lakeshore Road prior to subdivision in order to satisfy a 1-hectare lot size requirement for both proposed lots under RR2c zoning. 5600 Lakeshore road current holds three zonings including A2 / RR1 / P3. To achieve 1.0ha per lot, 0.72ha would be purchased from the 9.91ha neighboring parent property and would be consolidated into both proposed lots from 5570 Lakeshore Road. This includes .16ha hooked across Lakeshore Road for proposed lot 1 and .56ha consolidated into proposed lot 2 (survey plan included in application documents). The owner of 5600 Lakeshore road has been consulted and is supportive of selling the land for this use. An appraisal has been provided by Kent-Macpherson and circulated / agreed to between the two parties.

If Planning and Development staff can consider a text amendment to allow the proposed lot North of Lakeshore Road to remain .81 Hectares post subdivision, the proposed lot boundary between each proposed lot would be a clean break at Lakeshore Road. A pre-application meeting with city staff indicated this would not be obtainable. As a result, the application is being submitted effectively meeting the 1 Hectare land requirement for both proposed lots.

Below are aspects that are unique to this application which highlight the practicality and functionality of the proposed rezoning and OCP amendment prior to subdivision, rationalizing why this application is a great example of an effective and improved alternative to the existing 2040 OCP implications on this property.

- The subdivision does not require the construction of any additional public or private roads.
- The 5570 Lakeshore Road property is already severed and divided by Lakeshore Road.
- There are no shared utilities or property borders between the North and South sides of the existing parcel. Both sides of the existing parcel currently stand separate from each other in all functional considerations.
- Both proposed lots satisfy the 1.0ha land size, meeting requirements for an on-site septic. A stamped letter confirming on-site septic viability is provided in this application.
- Initial tenders provided from a local drilling company indicate proven viability with obtaining well water based on similar properties nearby. The proposed lot adds no demand for city water and sewer services.
- Environmental Impact Assessment confirms the proposed lot boundaries have no impact on any active or farmable land included from land purchased from 5600 Lakeshore road, removing no agricultural capacity.
- RDCO Sensitive Ecosystem Inventory and Environmental Impact Assessment Report confirm low environmental sensitivity in the proposed build site with a portion in moderate sensitivity.
- A Preliminary Geotechnical Report confirms that a minimum build area of 150m² is easily achievable as the proposed lot offers an available build site of approximately 890m².

Below is an overlay of the proposed lot lines illustrating the available building site which can be found in document 5.0 (Preliminary Geotechnical Report). The corresponding topographic survey document is included in this application as document 4.0 (Topographic Plan Survey). The geotechnical report confirms a +/-890 m2 area that is suitable to accommodate a build site.



RDCO sensitive Inventory clarifies the proposed built site as Not Sensitive (NS), while the Environmental Impact Assessment provided by Arsenault Environmental Consulting clarifies half the proposed built site as no sensitivity, and half as moderate sensitivity. Avoidance, mitigation and compensation is discussed further in the attached report. The next page illustrates data that can be found in document 6.0 (Environmental Sensitivity Analysis and Impact Assessment). Further mentioned in this report is the confirmation that cultivation is prohibitive given the shallow soils, exposed rock and extensive cliff/bluff elements of the land. The report also mentions no impact on birds or larger mammals, minimal impact to native vegetation and no encroachment on riparian fringes.



Sensitive Ecosystem Inventory – Sensitivity Ecosystem Ranking of the Property. (RDCO – 2024)



Sensitive Ecosystem Inventory - Primary Decile of the Property. (RDCO – 2024)



Conclusion

This application is being submitted with confidence that it demonstrates subdivision of this parcel as a pragmatic alternative to the current and future 2040 OCP use while satisfying bylaw requirements and increasing tax base at no expense to the city. The proposed lot is already severed by a city road, requires no new roads, has no impact on agricultural land use and adds no demand to city utilities. Facilitating this subdivision would create the opportunity to provide sensible, good development on buildable land with low to no environmental impact that is otherwise not able to be effectively utilized in any agricultural or residential capacity.

Site Photos of Proposed Lot



Southwest perspective astride with adjacent portion of 5570 Lakeshore Rd.



Eastern perspective of proposed lot 2 astride with adjacent portion of 5570 Lakeshore Rd.



Neighborhood Information Session Summary

Attention: Barbara Crawford
City of Kelowna - Planning and Development Staff
City Hall
1435 Water Street
Kelowna BC
V1Y 1J4

Date of Summary Submission: November 15th, 2024

Date of Neighborhood Information Session: November 13th, 2024

Location: 5570 Lakeshore Road, Kelowna, BC

Applicant Contact Information: Steven Stalenhoef // 780.221.6294 // stevestalenhoef@gmail.com

City of Kelowna Contact Information: Barbara Crawford // 250.469.8586 // bcrawford@kelowna.ca

Application: Rezoning and OCP amendment to accommodate the subdivision of 5570 Lakeshore road for the construction of a single family home.

File No: Z24-0036 and OCP24-0011

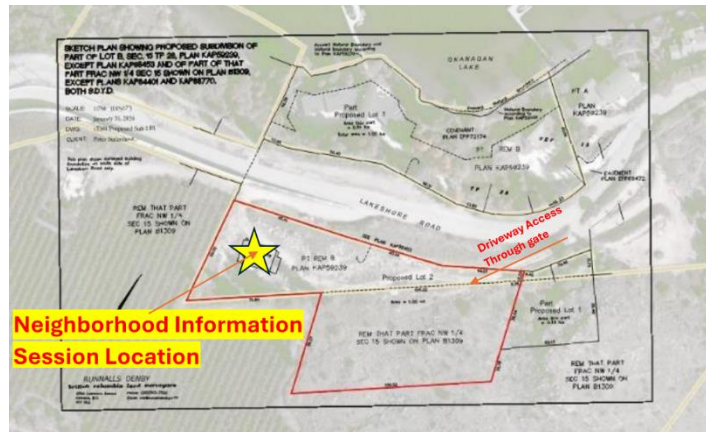
Information Session Summary

The Neighborhood Information Session took place on November 13th, 2024 between 4:00pm and 8:00pm, hosted in the farm building is that located on proposed Lot 2. Lighted signage was provided to ensure ease of location from any attendees.

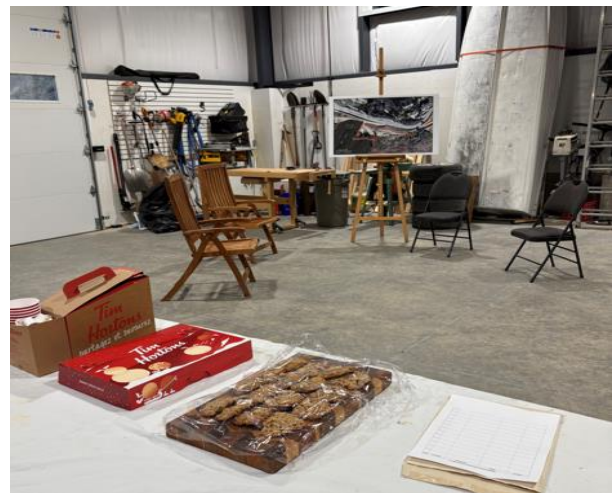
Inside the session, a large format site plan was provided, illustrating the details of the proposed rezoning + proposed subdivision to ensure any attendees were fully informed. Seating, homemade cookies, donuts and coffee were provided.

The total number of attendees was 10 neighbours, plus my family. 9 of whom were within a 300m radius of the property and received a notification letter. Open communication between all attendees throughout the notification process and well as the information session session resulted in unanimous support for the proposed re-zoning + subdivision. A sign-in sheet was provided at the session, including a column for comments. A copy of this sheet is included with this report along with the corresponding unanimous positive support.

The approved neighborhood notification letter included specific details of the proposed rezoning + subdivision and an invitation to neighborhood information. The graphic below was included to illustrate the location of the information session:



Approved signage was installed on October 26th (over two weeks prior to the info session on November 13th). Proof of signage installation was provided. Signage was lighted to ensure ease of location.



Below is a copy of the Neighborhood Information Sign-In Sheet illustrating unanimous support from all attendees.

Neighbourhood Information Session Sign In

Address	Name	Comments	Signature	Date
Lakeshore Rd		Definitely in favor of this subdivision		2024-11-13
Lakeshore Rd 5 Lakeshore		Full support for this development Highly recommend subdivision		2024-11-13
Lakeshore Rd		I am in full support of this project		2024-11-13
3 Lakeshore Rd		I fully support this subdivision!		2024-11-13
LAKESHORE RD		TOTAL SUPPORT		2024-11-13
LAKESHORE RD		DEFINITELY IN SUPPORT		2024-11-13
LAKESHORE RD		Fully support		2024-11-13
Timberline		Full Support		2024-11-13
				2024-11-13
				2024-11-13
				2024-11-13
				2024-11-13

Additional neighboring properties within 300 meters voiced full support but were not able to attend the information session. Additional full support was received from:

- 5505 A Lakeshore Road
- 5505 B Lakeshore Road
- 5532 Lakeshore Road

Neighborhood Notification Summary

Attention: Barbara Crawford
 City of Kelowna - Planning and Development Staff
 City Hall
 1435 Water Street
 Kelowna BC
 V1Y 1J4

Date: November 15th, 2024

Location: 5570 Lakeshore Road, Kelowna, BC

Applicant Contact Information: Steven Stalenhoef // 780.221.6294 // stevestalenhoef@gmail.com

City of Kelowna Contact Information: Barbara Crawford // 250.469.8586 // bcrawford@kelowna.ca

Application: Rezoning and OCP amendment to accommodate the subdivision of 5570 Lakeshore road for the construction of a single family home.

File No: Z24-0036 and OCP24-0011

Notification Summary

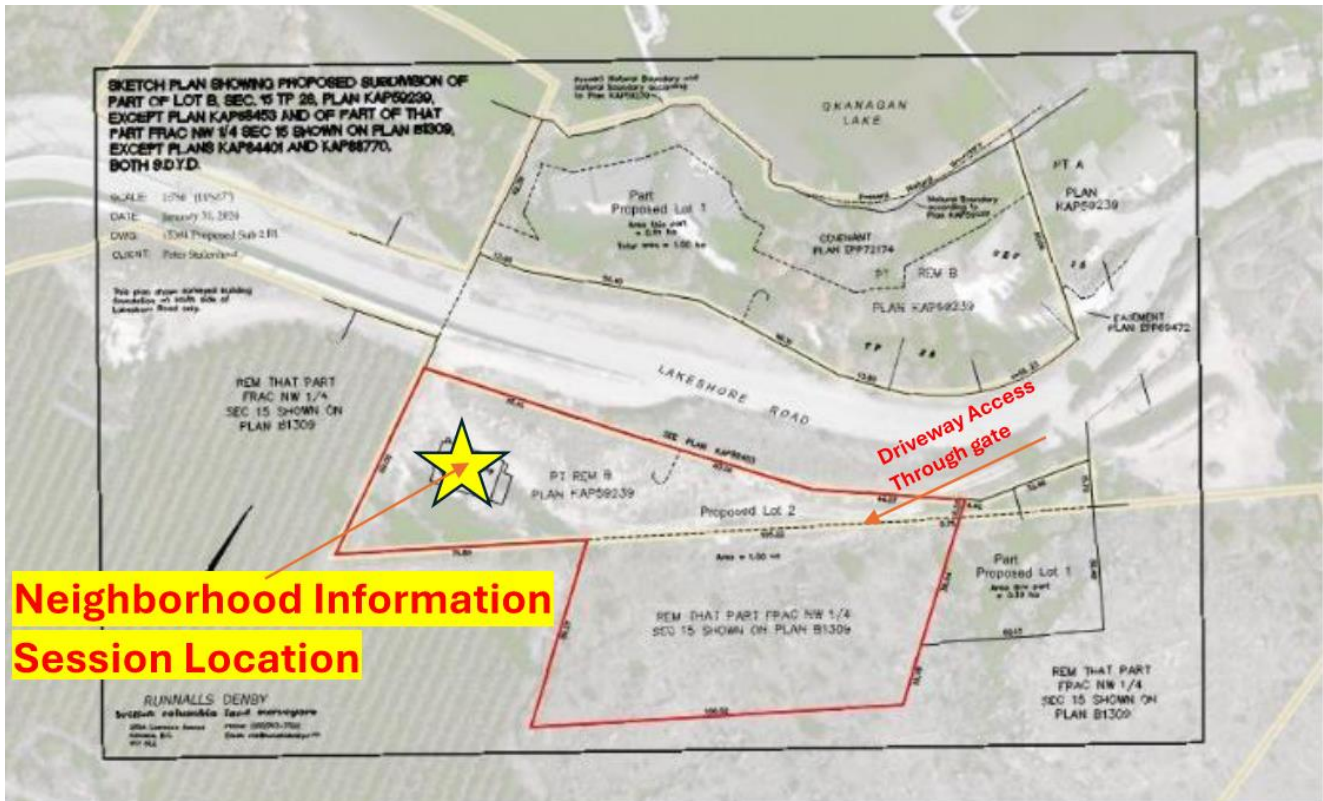
Neighborhood notification efforts were successful to inform my community of the proposed subdivision, provide personal / City of Kelowna contact information, increase a sense of community, and provide an opportunity for feedback to all neighboring properties within 300m. An opportunity for neighborhood feedback in face-to-face interactions resulted in strong support. The neighborhood was canvased twice to attempt a hand delivery of the letter and face-to-face interaction. The following addresses successfully received the letter in person.

5532 Lakeshore Road	5505 B Lakeshore Road
5555 Lakeshore Road	5600 Lakeshore Road
5520 Lakeshore Road	5570 Lakeshore Road
5560 Lakeshore Road	

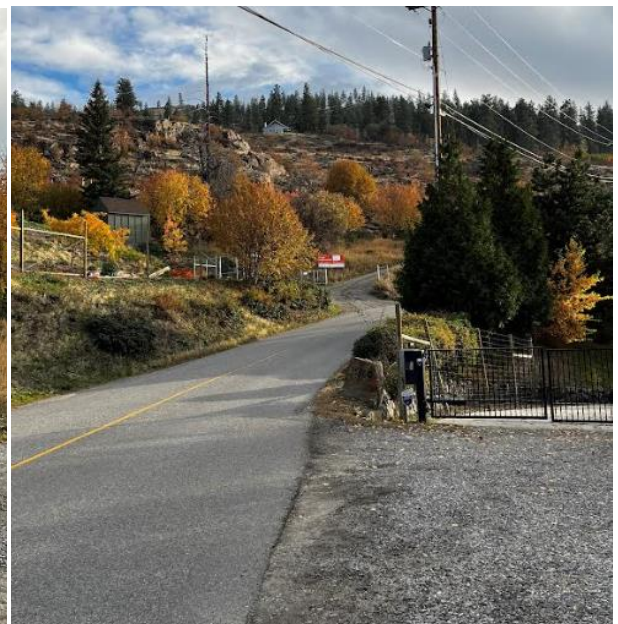
Some of the property types in the area did not have the option of hand delivery, as driveway access had closed gates with no intercom system, or no one was home on both canvassing attempts. The following properties were mailed the approved neighborhood notification letter + neighborhood information session invite on Oct 23, 2024 via Canada Post (three weeks of notice prior to the info session on November 13th).

5550 Lakeshore Road	5505A Lakeshore Road
5538 Lakeshore Road	5501 Lakeshore Road
5526 Lakeshore Road	5557 Lakeshore Road
5514 Lakeshore Road	5505 Lakeshore Road
5508 Lakeshore Road	

The approved neighborhood notification letter included specific details of the proposed application and an invitation to a neighborhood information session on November 13th, 2024. The graphic below was included:



Approved signage was installed on October 26th (over two weeks prior to the info session on November 13th). Proof of signage installation was provided.



Oct. 23rd, 2024



Dear Neighbour,

My name is Steven Stalenhoef, I am pursuing a land subdivision located at 5570 Lakeshore Road to accommodate the construction of a single-family home for my family. Navigating this within the City of Kelowna Council Policy 367 requires neighbour notification to all properties within 300 meters of the proposed property. Attached in this letter is a visual site plan illustrating the proposed subdivision.

To provide an opportunity for discussion and further detail, I will be hosting a neighbourhood information session on Nov. 13th between 4:00pm and 8:00pm. I kindly invite you to attend. The location is illustrated on Pg. 2 below with a yellow star.

Should you desire further information, please feel welcome to contact me or the City of Kelowna via the information below.

Location: 5570 Lakeshore Road, Kelowna, BC – Subject Property highlighted in yellow below.

Applicant Contact Information: Steven Stalenhoef // 780.221.6294 // stevestalenhoef@gmail.com

City of Kelowna Contact Information: Barbara Crawford // 250.469.8586 // bcrawford@kelowna.ca

Application: Rezoning and OCP amendment to accommodate the subdivision of 5570 Lakeshore road for the construction of a single family home.

File No: Z24-0036 and OCP24-0011

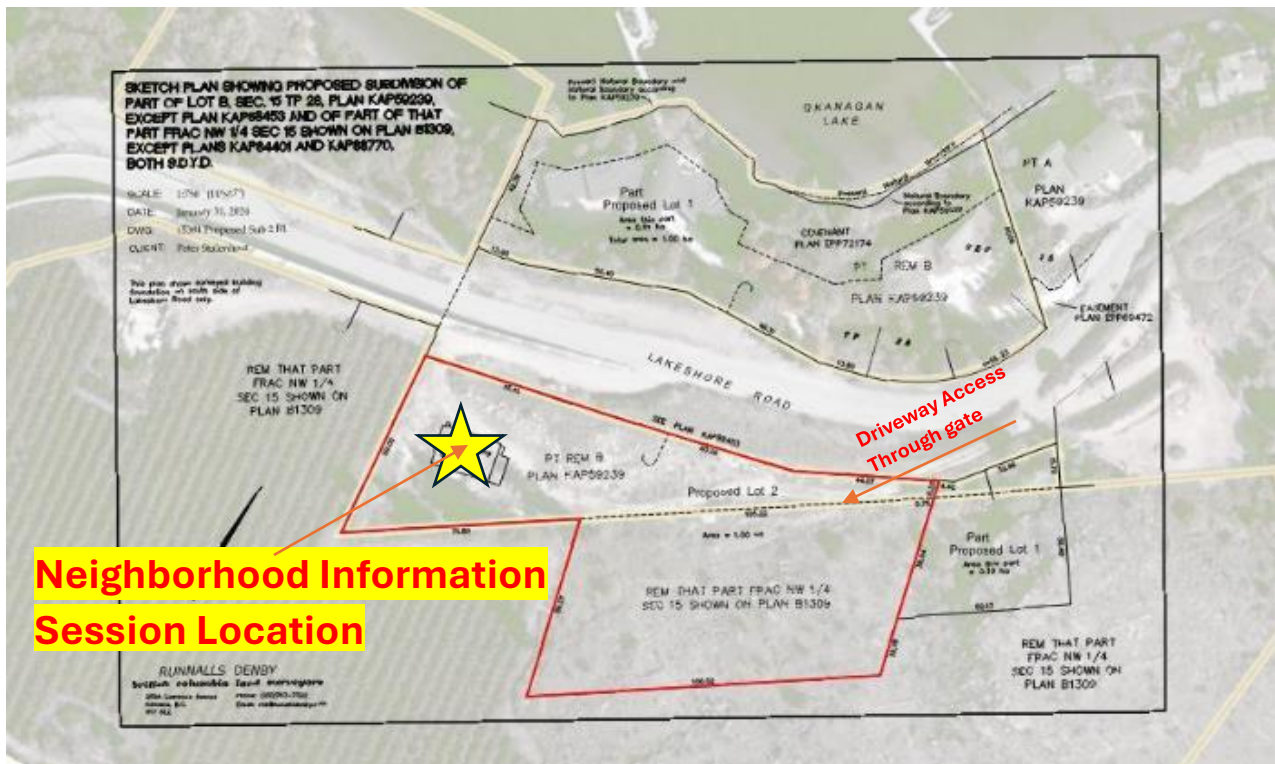
Thank you,

Steve, Danielle and Henry

Existing Property: Existing Zoning – RR2C / A2



Proposed Subdivision: Proposed Zoning – RR2C



Neighborhood Information Session Location

OCP Amendment and Rezoning Application

5570 Lakeshore Rd

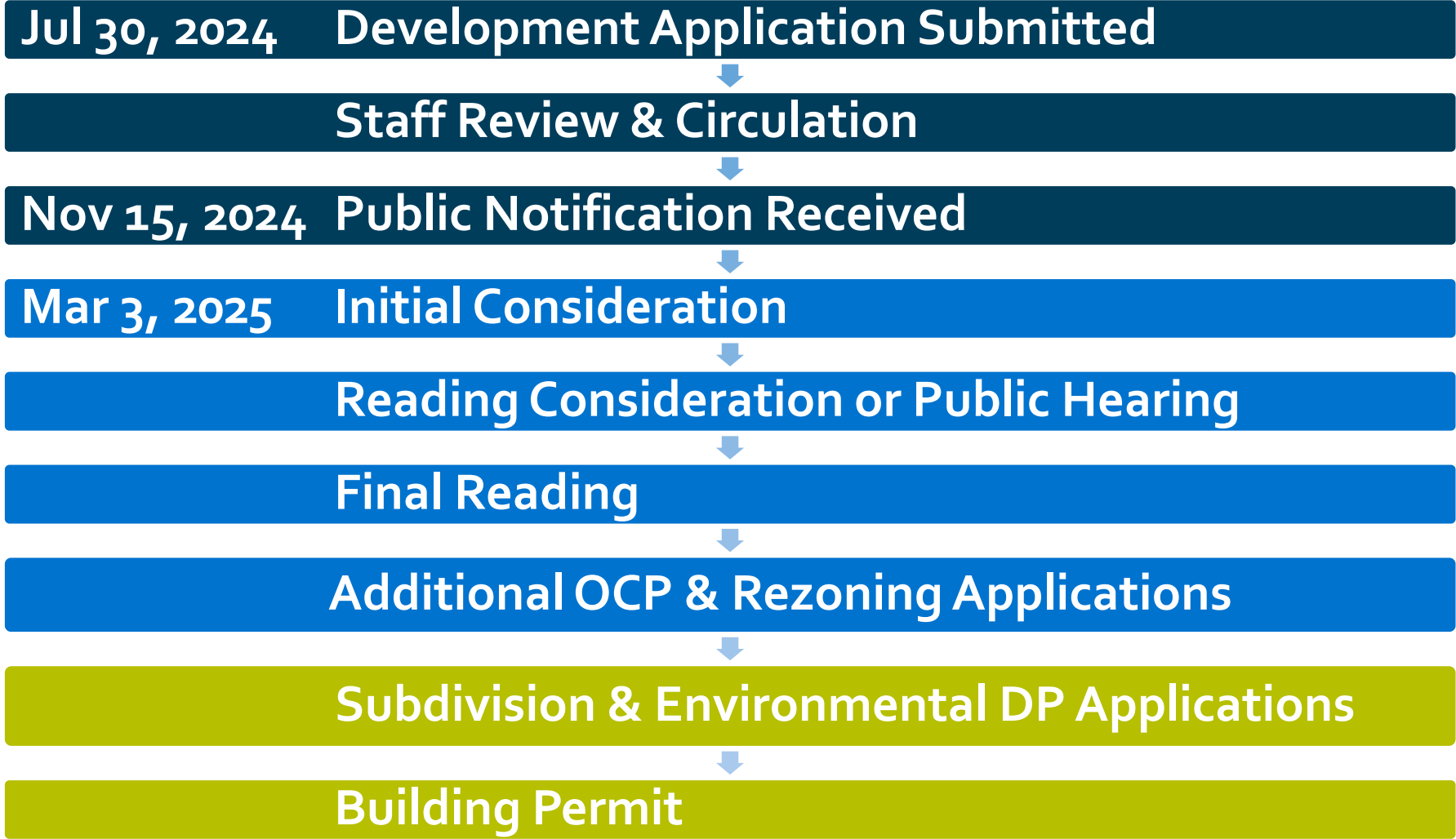
OCP24-0011 and Z24-0036



Purpose

To review a Staff recommendation to NOT amend the Official Community Plan and to NOT amend the City of Kelowna Zoning Bylaw that would facilitate a two-lot subdivision for the construction of a single detached dwelling.

Development Process



Council Approvals



Context Map





Context Map: OCP Future Land Use

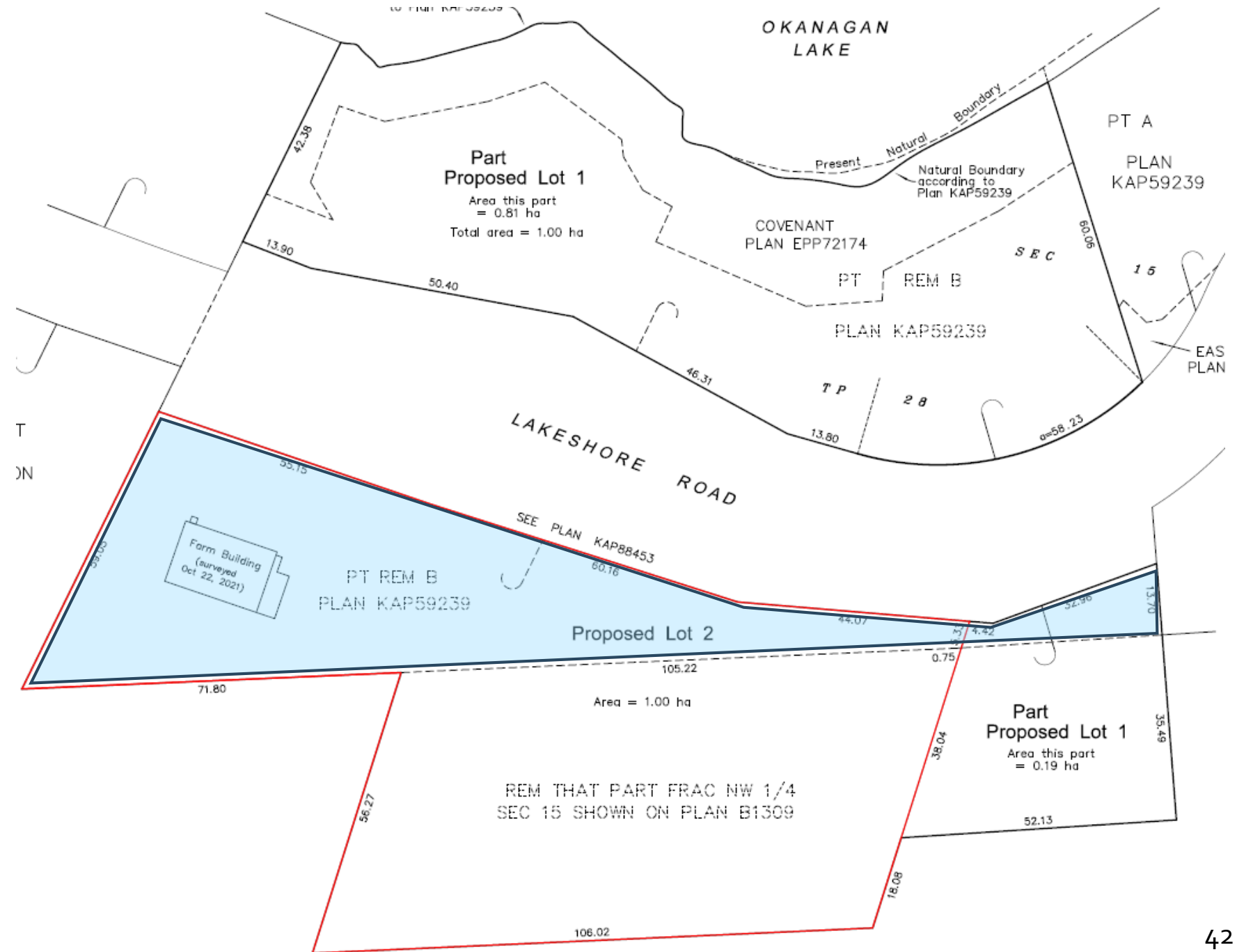




Subject Property Map



Proposed Site Plan & Project Detail



“RR2” Small Lot Rural Residential Zone

Purpose:

- To provide a zone for country residential development on smaller lots & complementary uses, in areas of high natural amenity and limited urban services

Summary of Uses:

- Urban Agriculture
- Child Care Centre, Major
- Group Home
- Single Detached Dwelling

“RR2” Small Lot Rural Residential Zone

Regulation	Permitted
Maximum Number of Units	1 dwelling unit per lot
Maximum Height	10.0 m
Maximum Site Coverage of Buildings	30%
Maximum Site Coverage of Buildings, Structures & Impermeable Surfaces	60%
Minimum Front Yard Setback	6.0 m
Minimum Side Yard Setback	2.1 m
Minimum Rear Yard Setback	7.5 m

OCP Objectives: Climate Resilience

10 min walk to retail / restaurants	Yellow
5 min walk to park	Dark Green
10 min bike to public school	Yellow
20 min bus to urban/village centre / employment hub	Yellow
Retaining trees and/or adding trees	Light green
OCP Climate Resilience Consistency	Yellow

LEGEND

Dark Green
meets criteria

Light green
will meet criteria soon

Yellow
does not meet criteria

OCP Objectives & Policies

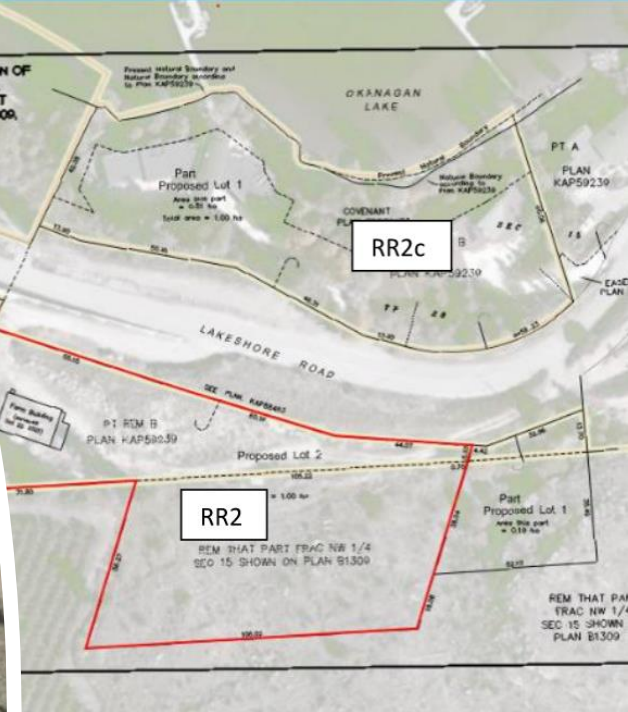
- **Objective 8.1 Protect & Preserve Agriculture Land & Its Capacity**
 - *Policy 8.1.4 Urban Uses* - Direct urban uses to lands within the PGB
- **Objective 8.4 Stop Urban Sprawl into Rural Lands**
 - *Policy 8.4.1 Intensification of Rural Lands* – Do not support urban uses outside PGB
 - *Policy 8.4.2 Discourage Subdivision* – Discourage further subdivision of lands outside PGB

Staff Recommendation

- Staff recommend non-support for the proposed OCP and rezoning amendments as they are not consistent with:
 - OCP Future Land Use R-AGR – Rural Agriculture & Resource
 - OCP Objectives in Chapter 8 - Rural Lands
 - Do not support urban uses on lands outside the PGB
 - Discourage further subdivision of properties outside the PGB
- If endorsed by Council:
 - Additional OCP & Z amendment applications
 - A subdivision application
 - Environmental & Natural Hazard DP

Rezoning + OCP
Amendment Prior
to Subdivision
5570 Lakeshore
Road

Existing Parcel



5570 Lakeshore Road
Existing Parcel

Lot Size: 1.28 ha

A2 Area = .47 ha

RR2 Area = .81 ha

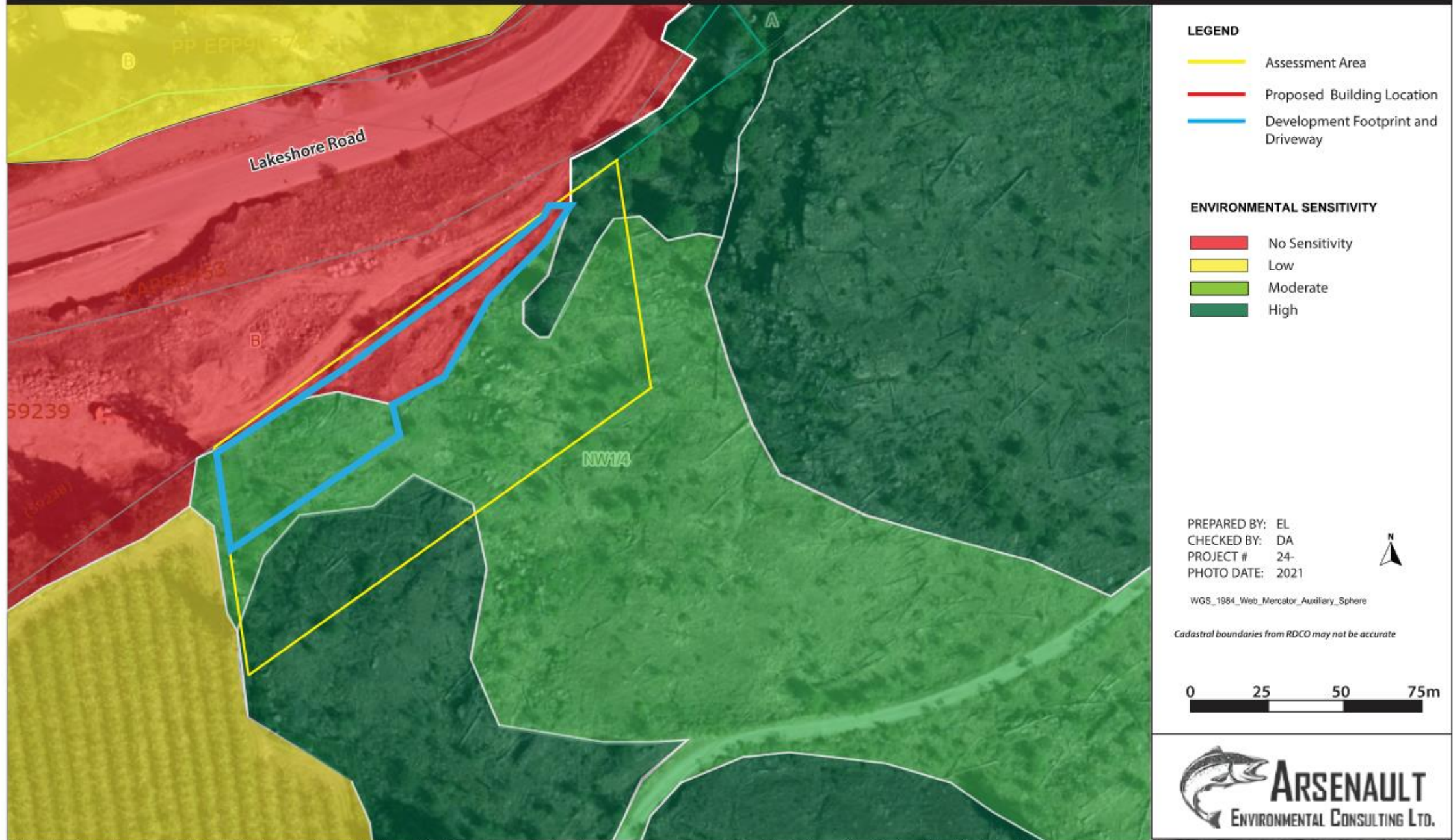
5570 Lakeshore Road Proposed Application

Lot Size: 1 ha per lot

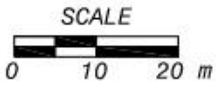
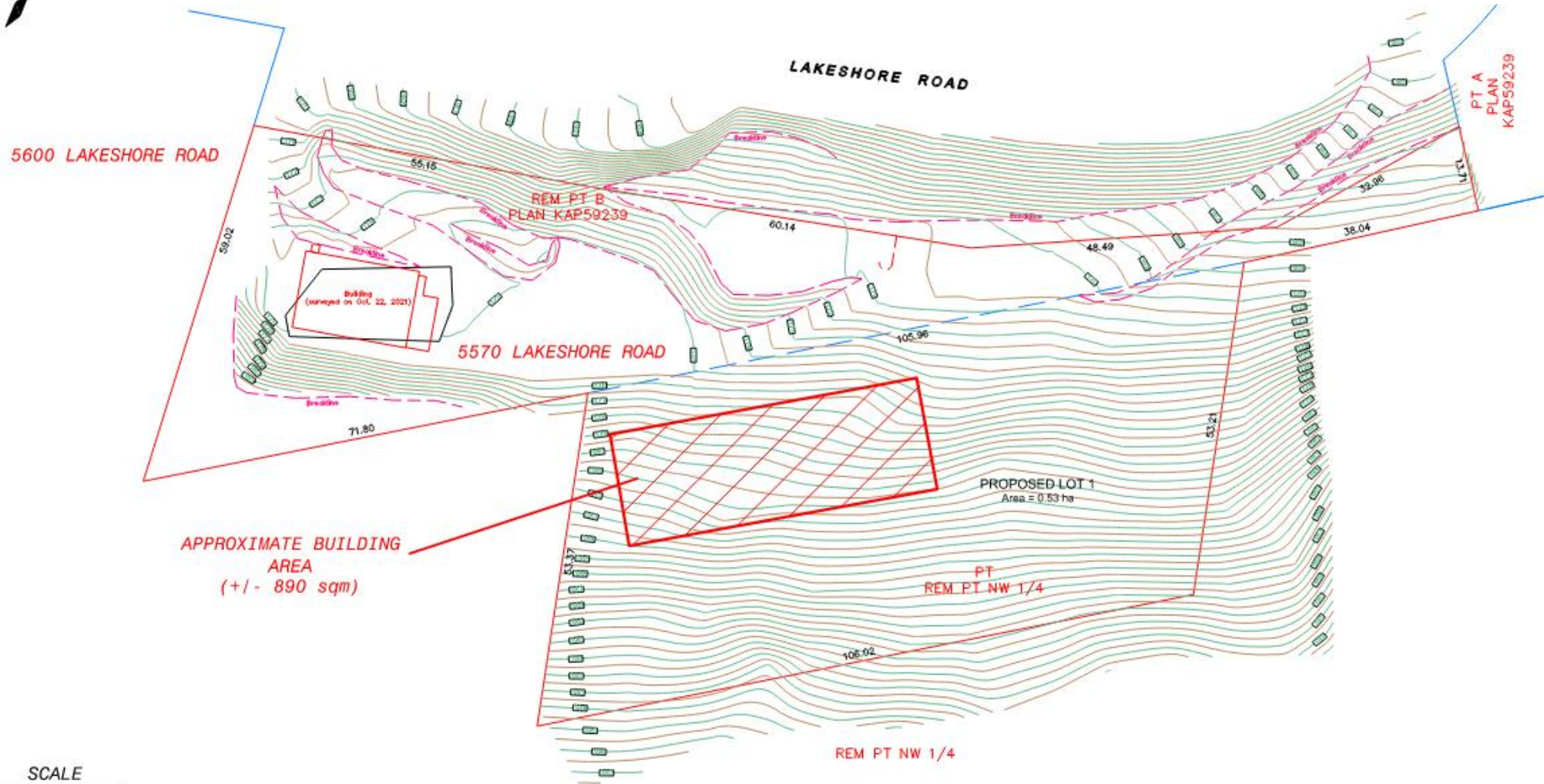
Lot 2 - 1 ha

Lot 1 - 1 ha

FIGURE 2. Environmental Sensitivity of Proposed Subdivision at 5570 Lakeshore Rd. Kelowna, BC.



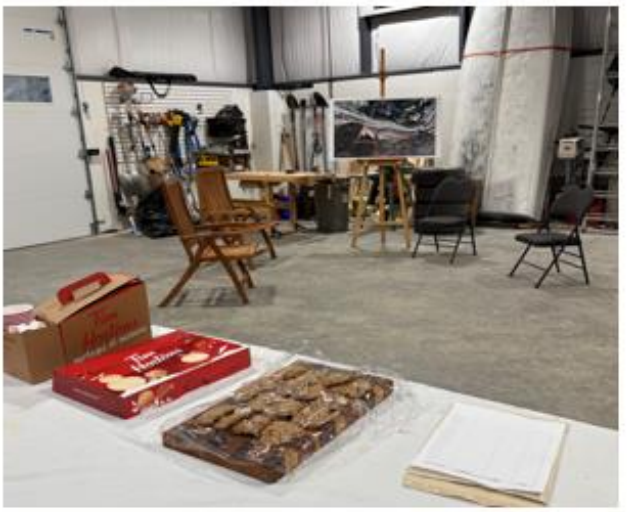
All data, information, and maps are provided "as is" without any warranties and should be used for reference purposes only. The author makes no warranties, express or implied, as to the use of the information obtained from this product.



NOTES
 1. REFERENCE PLAN SUPPLIED BY RUNNALLS DENBY LAND SURVEYORS.
 2. SEE REPORT DATED MAY 22, 2024 FOR OUR COMMENTS AND RECOMMENDATIONS.

MR. STEVE STALENHOF GEOTECHNICAL INVESTIGATION PROPOSED DWELLING 5570 LAKESHORE ROAD KELOWNA, BC	SITE PLAN	INTERIOR TESTING SERVICES LTD 1-1965 MOSS COURT, KELOWNA, BC V1Y 9L3 PH: 250-860-6540 EM: info@interiortesting.com DATE OF INVESTIGATION: MAY 10, 2024 JOB NUMBER: 24.136 DRAWING NUMBER: 24.136-1
--	------------------	--





Neighbourhood Information Session Sign In

Address	Name	Comments	Signature	Date
		Definitely in favor of this subdivi		2024-11-15
		Full support for this development		2024-11-15
		Highly Recommend Subdivision		2024-11-15
		I am in full support of this project		2024-11-15
		I fully support this subdivision!		2024-11-15
		TOTAL SUPPORT		2024-11-15
		DEFINITELY IN SUPPORT		2024-11-15
		Fully support		2024-11-15
		Full support		2024-11-15
				2024-11-15
				2024-11-15
				2024-11-15
				2024-11-15
				2024-11-15

Application Summary

- Unique application with isolated conditions (hooked parcel with two zonings)
- Stamped letter from wastewater practitioner + well contractor
- No additional strain on city services
- Existing lot lines creates an orphaned lot, already subdivided in all practicality
- Low environmental sensitivity
- Application removes no agricultural capacity
- Opportunity for multi-generational living
- Positive support from neighbors in the community
- Consistent with the form and character of the area

REPORT TO COUNCIL REZONING



Date: March 3, 2025
To: Council
From: City Manager
Address: 1239 Pacific Avenue
File No.: Z25-0001

	Existing	Proposed
OCP Future Land Use:	UC – Urban Centre	UC – Urban Centre
Zone:	UC2 – Capri-Landmark Urban Centre	UC2r – Capri-Landmark Urban Centre Rental Only

1.0 Recommendation

THAT Rezoning Application No. Z25-0001 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 District Lot 137 ODYD PLAN EPP113649, located at 1239 Pacific Avenue, Kelowna, BC from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone, be considered by Council;

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

Purpose

To rezone the subject property from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone to facilitate a rental apartment building.

2.0 Development Planning

Staff support the proposed rezoning from the UC2 – Capri-Landmark Urban Centre to the UC2r – Capri-Landmark Urban Centre Rental Only zone. The proposed rezoning would facilitate a rental-only apartment building, which is consistent with the Official Community Plan (OCP) policies that encourage diverse housing types and tenures. The proposed rezoning is supported by the Capri-Landmark Urban Centre Plan, which encourages medium density residential development for the subject property.

Lot Area	Proposed (m ²)
Gross Site Area	5685.15 m ²
Road Dedication	218.88 m ²
Undevelopable Area	N/A
Net Site Area	5466.27 m ²

3.0 Site Context & Background

Orientation	Zoning	Land Use
North	UC2	Apartment Housing & Single Detached Housing
East	UC2	Apartment Housing
South	UC2	Vacant lot & Duplex Housing
West	UC2	Single Detached & Duplex Housing & Apartment Housing

Subject Property Map: 1239 Pacific Avenue



The subject property is within the Capri-Landmark Urban Centre located on Pacific Avenue. The surrounding area is primarily zoned UC2 – Capri-Landmark Urban Centre with a mix of single dwelling housing and apartment housing. The subject property is in close proximity to transit along Sutherland Avenue, Pacific Court Park, and Capri Centre Mall.

4.0 Current Development Policies

4.1 Kelowna Official Community Plan (OCP)

Objective 4.5 Promote more residential development to balance employment uses in the Capri-Landmark Urban Centre	
Policy 4.5.1 Capri-Landmark Urban Centre Plan	Use the Capri-Landmark Urban Centre Plan for detailed policy guidance in the Capri-Landmark Urban Centre. <i>This proposal meets Sub-Area 4 Policy 3 to encourage medium density residential development along Sutherland Avenue east of Capri Street and along Pacific Avenue with an emphasis on the development of a mix of housing tenures to promote housing diversity.</i>

Objective 4.12 Increase the diversity of housing types and tenures to create inclusive, affordable and complete Urban Centres	
Policy 4.12.1 – Diverse Housing Forms	Ensure a diverse mix of medium-density and high-density housing forms in Urban Centres to support a variety of household types and sizes, income levels and life stages. <i>The proposal is for a purpose-built rental only apartment.</i>
Policy 4.12.3 Diverse Housing Tenures	Encourage a range of rental and ownership tenures that support a variety of households, income levels and life stages. <i>The proposal would facilitate a rental-only tenure apartment in an Urban Centre.</i>

5.0 Application Chronology

Application Accepted: January 8, 2025
 Neighbourhood Notification Summary Received: February 6, 2025

Report prepared by: Sara Skabowski, Planner I
Reviewed by: Adam Cseke, Central Development Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Attachment A: Development Engineering Memorandum
 Attachment B: DRAFT Site Plan
 Attachment C: Summary of Neighbourhood Notification

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

CITY OF KELOWNA


MEMORANDUM

Date: February 12, 2025
File No.: Z25-0001
To: Development Planning Dept (SS)
From: Development Engineering Dept. (NC)
Subject: 1239 Pacific Ave. UC2 to UC2r

The Development Engineering Department has no requirements associated with this Rezoning Permit Application to rezone the subject property from UC2 to the UC2r - Capri-Landmark Urban Centre with Rental Subzone.

Works and Servicing requirements directly attributable at the time of Building Permit are provided in the Development Engineering Department memo for DP25-0012.

The Development Engineering Technologist for this file is Aaron Sangster (asangster@kelowna.ca).



Nelson Chapman, P.Eng
Development Engineering Dept.

AS

ATTACHMENT B

This forms part of application
Z25-0001



Planner Initials SS

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA
This drawing is an instrument of service and the property of New Town Services. The use of this drawing shall be restricted to the original site for which it was prepared and publication thereof is expressly limited to such use.
This drawing must not be scaled.
Verify all dimensions and datums prior to commencement of work.
Report all errors and omissions to the Architect.



NEW TOWN
ARCHITECTURE
URBAN PLANNING
CIVIL ENGINEERING
www.newtownservices.ca

Seal

Revisions

No.	DATE	DESCRIPTION
4	2024-12-20	ISSUED FOR DP

FOR PERMIT ONLY

project title
PACIFIC PASNAK

project address
PACIFIC AVE & PASNAK STREET, KELOWNA, BC
project no. 4178

drawing title
CODE SITE PLAN

designed KF/LA scale 1 : 150
drawn LA
checked UA

drawing no. **A1.02D**
plotted 12/20/24 12:44:40 PM





ATTACHMENT C

This forms part of application
Z25-0001

Planner Initials **SS**

City of **Kelowna**
COMMUNITY PLANNING

Summary of Neighbor Notification

Date: Feb 6, 2025

To: Kelowna City Council & Staff
From: New Town Architecture & Engineering

Subject: Summary of Neighbor Notification for Z25-0001 - 1239 Pacific Ave

Dear Council/Staff members,

As per Council Policy No. 367, please find below the summary of our neighbor notification efforts, feedback received, and any resulting changes to the project. This summary is provided to ensure transparency and compliance before the application is scheduled for Council consideration.

1. Date of Notification:
Feb 5, 2025.

2. Methods of Notification:
A consultation letter was mailed, a copy of which is attached for reference.

3. List of Addresses Notified:
As per the address list provided by Sara Skabowski on Jan 20, 2025.

4. Details of Information Provided:
A rationale was sent to the neighbors that included items a) – f) under section 4 of Council Policy 367. Please find the consultation rationale attached.

5. Feedback Received:
No feedback has been received by our office as of 11am on Feb 6, 2025.

6. Project Changes Resulting from Neighbor Notification:
No changes have been made based on the lack of feedback received. Please feel free to contact us if you require any further information or clarification.

Sincerely,

Jesse Alexander
Planning Manager
New Town Architecture & Engineering

Attachments:

1. Address list
2. Consultation rationale



Dear Neighbour:

RE: Application for Rezoning – UC2 to UC2r (Z25-0001)

1239 Pacific Avenue

This letter is to advise that an application has been made to the City of Kelowna for the Rezoning of the property shown on the map below.



The City of Kelowna OCP designates this location as an Urban Centre with a UC2-Capri-Landmark Urban Centre zoning, which forecasts multifamily development in an apartment housing form.

Despite the existing UC2 zoning, this application requires a zoning amendment for an “r” subzone due to the intent of providing purpose built-rental housing on the site. A further consultation letter may be provided in the coming months outlining any pertinent details for a development variance permit, should that be pursued.

A site plan and details of the application are provided on the reverse of this page. If you have any comments or questions please feel free to contact us in writing.

Applicant Contact:

Jesse Alexander, Planning Manager
New Town Architecture & Engineering Inc
Email: jesse@newtownservices.net

City of Kelowna Contact

Sara Skabowski, Planner I
City of Kelowna
Phone: 778-738-3427
Email: Sskabowski@kelowna.ca



RE: Application for Rezoning - UC2 to UC2r

1239 Pacific Avenue

An application has been made to the City of Kelowna as follows:

- ✓ Application to rezone the site from UC2-Capri-Landmark Urban Centre to UC2r-Capri-Landmark Urban Centre (Rental Only).

<https://www.kelowna.ca/homes-building/property-development/current-developments/z25-0001>



Figure 1: Site Plan.



225-0001

Mailing Address

Planner Initials

Address	Mailing Address
101 1170 Brookside Ave V1Y5T4 ** Occupant **	101-1170 BROOKSIDE AVE KELOWNA BC V1Y 5T4
102 1170 Brookside Ave V1Y5T4 ** Occupant **	102-1170 BROOKSIDE AVE KELOWNA BC V1Y 5T4
103 1170 Brookside Ave V1Y5T4 ** Occupant **	103-1170 BROOKSIDE AVE KELOWNA BC V1Y 5T4
104 1170 Brookside Ave V1Y5T4 ** Occupant **	104-1170 BROOKSIDE AVE KELOWNA BC V1Y 5T4
	36242 DAWSON RD ABBOTSFORD BC V3G 2E8
105 1170 Brookside Ave V1Y5T4 ** Occupant **	105-1170 BROOKSIDE AVE KELOWNA BC V1Y 5T4
106 1170 Brookside Ave V1Y5T4 ** Occupant **	106-1170 BROOKSIDE AVE KELOWNA BC V1Y 5T4
107 1170 Brookside Ave V1Y5T4	107-1170 BROOKSIDE AVE



<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T4</p>
<p>108 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>10-1150 MISSION RIDGE RD</p> <p>KELOWNA BC V1W 5M5</p>
	<p>108-1170 BROOKSIDE AVE KELOWNA BC V1Y 5T4</p>
<p>110 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>PO BOX 1228</p> <p>SUMMERLAND BC V0H 1Z0</p>
<p>111 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>111-1170 BROOKSIDE AVE</p> <p>KELOWNA BC V1Y 5T4</p>
<p>201 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>201-1170 BROOKSIDE AVE</p> <p>KELOWNA BC V1Y 5T4</p>
<p>202 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>202-1170 BROOKSIDE AVE</p> <p>KELOWNA BC V1Y 5T4</p>
<p>203 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>203-1170 BROOKSIDE AVE</p> <p>KELOWNA BC V1Y 5T4</p>
<p>204 1170 Brookside Ave V1Y5T4</p>	<p>204-1170 BROOKSIDE AVE</p>



<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T4</p>
<p>205 1170 Brookside Ave V1Y5T4</p>	<p>205-1170 BROOKSIDE AVE</p>
<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T4</p>
<p>206 1170 Brookside Ave V1Y5T4</p>	<p>206-1170 BROOKSIDE AVE</p>
<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T4</p>
<p>207 1170 Brookside Ave V1Y5T4</p>	<p>207-1170 BROOKSIDE AVE</p>
<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T4</p>
<p>208 1170 Brookside Ave V1Y5T4</p>	<p>208-1170 BROOKSIDE AVE</p>
<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T4</p>
<p>209 1170 Brookside Ave V1Y5T4</p>	<p>209-1170 BROOKSIDE AVE</p>
<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T4</p>
<p>210 1170 Brookside Ave V1Y5T4</p>	<p>210-1170 BROOKSIDE AVE</p>
<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T4</p>
<p>211 1170 Brookside Ave V1Y5T4</p>	<p>211-1170 BROOKSIDE AVE</p>
<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T4</p>



<p>301 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>301-1170 BROOKSIDE AVE Planner Initials <input type="text" value="SS"/></p> <p>KELOWNA BC V1Y 5T4</p>
<p>302 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>302-1170 BROOKSIDE AVE</p> <p>KELOWNA BC V1Y 5T4</p>
<p>303 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>303-1170 BROOKSIDE AVE</p> <p>KELOWNA BC V1Y 5T4</p>
<p>304 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>304-1170 BROOKSIDE AVE</p> <p>KELOWNA BC V1Y 5T4</p>
<p>305 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>305-1170 BROOKSIDE AVE</p> <p>KELOWNA BC V1Y 5T4</p>
<p>306 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>306-1170 BROOKSIDE AVE</p> <p>KELOWNA BC V1Y 5T4</p>
<p>307 1170 Brookside Ave V1Y5T4</p> <p>** Occupant **</p>	<p>307-1170 BROOKSIDE AVE</p> <p>KELOWNA BC V1Y 5T4</p>



308 1170 Brookside Ave V1Y5T4 ** Occupant **	2094 LILLOOET CRES KELOWNA BC V1Y 1Y2
309 1170 Brookside Ave V1Y5T4 ** Occupant **	309-1170 BROOKSIDE AVE KELOWNA BC V1Y 5T4
310 1170 Brookside Ave V1Y5T4 ** Occupant **	310-1170 BROOKSIDE AVE KELOWNA BC V1Y 5T4
311 1170 Brookside Ave V1Y5T4 ** Occupant **	101 FARRELL CRES FORT MCMURRAY AB T9K 1L9
1230 Brookside Ave V1Y5T4 ** Occupant **	1435 WATER ST KELOWNA BC V1Y 1J4
1250-1252 Brookside Ave V1Y5T6 ** Occupant **	1322 MCBRIDE RD KELOWNA BC V1Y 4A6
1144 Pacific Ave V1Y5T7 ** Occupant **	1435 WATER ST KELOWNA BC V1Y 1J4
1145 Pacific Ave V1Y5T8	10-145 WELHAM ROAD



<p>** Occupant **</p>	<p>BARRIE ON L4N 8Y3</p>
<p>1155 Pacific Ave V1Y5T8</p> <p>** Occupant **</p>	<p>PO BOX 24028 RPO TOWNE CENTRE</p> <p>KELOWNA BC V1Y 9H2</p>
<p>1200 Pacific Ave</p> <p>** Occupant **</p>	<p>6797 124A ST</p> <p>SURREY BC V3W 3Y6</p>
<p>1212 Pacific Ave</p> <p>** Occupant **</p>	<p>1212 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T7</p>
<p>1216 Pacific Ave</p> <p>** Occupant **</p>	<p>3266 MALBEC CRES</p> <p>WEST KELOWNA BC V4T 3B5</p>
<p>208 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>3266 MALBEC CRES</p> <p>WEST KELOWNA BC V4T 3B5</p>
<p>209 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>3266 MALBEC CRES</p> <p>WEST KELOWNA BC V4T 3B5</p>
<p>210 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>3266 MALBEC CRES</p> <p>WEST KELOWNA BC V4T 3B5</p>
<p>304 1220 Pacific Ave</p>	<p>304-1220 PACIFIC AVE</p>



<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T7</p>
	<p>866 CORONADO CRES KELOWNA BC V1W 2C3</p>
<p>306 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>306-1220 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T7</p>
<p>307 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>3266 MALBEC CRES</p> <p>WEST KELOWNA BC V4T 3B5</p>
<p>308 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>604-1630 PANDOSY ST</p> <p>KELOWNA BC V1Y 1P7</p>
<p>309 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>3266 MALBEC CRES</p> <p>WEST KELOWNA BC V4T 3B5</p>
<p>310 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>3266 MALBEC CRES</p> <p>WEST KELOWNA BC V4T 3B5</p>
<p>311 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>3266 MALBEC CRES</p> <p>WEST KELOWNA BC V4T 3B5</p>
<p>404 1220 Pacific Ave</p>	<p>3 KINGFISHER BAY</p>



** Occupant **	LAKE NEWELL RESORT AB T1R 0X6 Planner Initials <input type="text" value="SS"/>
406 1220 Pacific Ave	3266 MALBEC CRES
** Occupant **	WEST KELOWNA BC V4T 3B5
407 1220 Pacific Ave	407-1220 PACIFIC AVE
** Occupant **	KELOWNA BC V1Y 5T7
408 1220 Pacific Ave	408-1220 PACIFIC AVE
** Occupant **	KELOWNA BC V1Y 5T7
409 1220 Pacific Ave	3266 MALBEC CRES
** Occupant **	WEST KELOWNA BC V4T 3B5
410 1220 Pacific Ave	9508 178A AVE NW
** Occupant **	EDMONTON AB T5Z 2G7
411 1220 Pacific Ave	10592 CHASE RD
** Occupant **	LAKE COUNTRY BC V4V 1K6
	14669 62 AVE SURREY BC V3S 6N4
504 1220 Pacific Ave	3266 MALBEC CRES



<p>** Occupant **</p>	<p>WEST KELOWNA BC V4T 3B5</p>
<p>506 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>1041 PARET CRES</p> <p>KELOWNA BC V1W 4X9</p>
<p>** Occupant **</p>	<p>1808 MINOR AVE UNIT 1112 SEATTLE WA 98101-1551 USA</p>
<p>507 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>507-1220 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T7</p>
<p>508 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>2506 13TH AVE W</p> <p>VANCOUVER BC V6K 2T1</p>
<p>509 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>3266 MALBEC CRES</p> <p>WEST KELOWNA BC V4T 3B5</p>
<p>510 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>1777 AUTUMN RD</p> <p>KELOWNA BC V1P 1G1</p>
<p>511 1220 Pacific Ave</p> <p>** Occupant **</p>	<p>3139 SMITH CREEK RD</p> <p>WEST KELOWNA BC V4T 1M7</p>
<p>1224 Pacific Ave</p> <p>** Occupant **</p>	<p>3266 MALBEC CRES</p> <p>WEST KELOWNA BC V4T 3B5</p>



1228 Pacific Ave ** Occupant **	3266 MALBEC CRES WEST KELOWNA BC V4T 3B5
1239 Pacific Ave ** Occupant **	6797 124A ST SURREY BC V3W 3Y6
101 1249 Pacific Ave V1Y5T9 ** Occupant **	101-1249 PACIFIC AVE KELOWNA BC V1Y 5T9
102 1249 Pacific Ave V1Y5T9 ** Occupant **	102-1249 PACIFIC AVE KELOWNA BC V1Y 5T9
	102-1249 PACIFIC AVE KELOWNA BC V1Y 5T9
	433 TRUMPETER RD KELOWNA BC V1W 4L5
	433 TRUMPETER RD KELOWNA BC V1W 4L5
103 1249 Pacific Ave V1Y5T9 ** Occupant **	103-1249 PACIFIC AVE KELOWNA BC V1Y 5T9
104 1249 Pacific Ave V1Y5T9 ** Occupant **	104-1249 PACIFIC AVE KELOWNA BC V1Y 5T9
105 1249 Pacific Ave V1Y5T9	105-1249 PACIFIC AVE



<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T9</p>
<p>106 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>106-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>107 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>107-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>108 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>108-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>109 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>109-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>110 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>110-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>111 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>111-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
	<p>1758 26 AVE SW CALGARY AB T2T 1C8</p>
<p>112 1249 Pacific Ave V1Y5T9</p>	<p>112-1249 PACIFIC AVE</p>



<p>** Occupant **</p>	<p>KELOWNA BC V1Y 5T9</p>
<p>201 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>201-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>202 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>202-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>203 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>203-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>204 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>204-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>205 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>205-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>206 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>206-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>207 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>207-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>



Planner Initials **SS**

<p>208 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>208-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>209 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>209-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>210 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>210-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>211 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>211-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>212 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>212-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>213 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>213-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>
<p>301 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>301-1249 PACIFIC AVE</p> <p>KELOWNA BC V1Y 5T9</p>



<p>302 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>14737 31 AVE SURREY BC V4P 3E7</p>
	<p>302-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>303 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>303-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>304 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>304-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>305 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>305-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>306 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>306-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>307 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>307-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>308 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>308-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials **SS**

<p>309 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>309-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>310 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>310-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>311 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>311-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>312 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>312-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>313 1249 Pacific Ave V1Y5T9</p> <p>** Occupant **</p>	<p>313-1249 PACIFIC AVE KELOWNA BC V1Y 5T9</p>
<p>1912 Pacific Ct V1Y8B3</p> <p>** Occupant **</p>	<p>274 OSBORNE ST N WINNIPEG MB R3C 0M7</p>
<p>1950-1960 Pacific Ct V1Y8B3</p> <p>** Occupant **</p>	<p>C/O DEVON PROPERTIES LTD. 100-990 FORT ST VICTORIA BC V8V 3K2</p>



1930 Pasnak St V1Y3Y9 ** Occupant **	1930 PASNAK ST KELOWNA BC V1Y 3Y9
1934A Pasnak St V1Y3Y9 ** Occupant **	201-401 GLENMORE RD KELOWNA BC V1V 1Z6
	PO BOX 2309 RPO BANKS CENTRE KELOWNA BC V1X 6A5
1934B Pasnak St V1Y3Y9 ** Occupant **	201-401 GLENMORE RD KELOWNA BC V1V 1Z6
	PO BOX 2309 RPO BANKS CENTRE KELOWNA BC V1X 6A5
1937 Pasnak St V1Y3Y8 ** Occupant **	1937 PASNAK ST KELOWNA BC V1Y 3Y8
1938B Pasnak St V1Y3Y9 ** Occupant **	PO BOX 2309 RPO BANKS CENTRE KELOWNA BC V1X 6A5
1938B Pasnak St V1Y3Y9 ** Occupant **	201-401 GLENMORE RD KELOWNA BC V1V 1Z6
	PO BOX 2309 RPO BANKS CENTRE KELOWNA BC V1X 6A5
1941-1943 Pasnak St V1Y3Y8 ** Occupant **	1521 CARA GLEN WAY KELOWNA BC V1V 2J1



725-0001

Planner
Initials SS

1947-1949 Pasnak St V1Y3Y8 ** Occupant **	1435 WATER ST KELOWNA BC V1Y 1J4
1197-1199 Sutherland Ave V1Y5Y2 ** Occupant **	1197 SUTHERLAND AVE KELOWNA BC V1Y 5Y2
1211 Sutherland Ave V1Y5Y2 ** Occupant **	ATTN PROPERTY TAX DEPARTMENT PO BOX 130548 HOUSTON TX 77219-0548 USA
1231 Sutherland Ave V1Y5Y2 ** Occupant **	854 16TH AVE E VANCOUVER BC V5T 2V6
1231 Sutherland Ave V1Y5Y2 ** Occupant **	854 16TH AVE E VANCOUVER BC V5T 2V6
1231 Sutherland Ave V1Y5Y2 ** Occupant **	854 16TH AVE E VANCOUVER BC V5T 2V6
1247 Sutherland Ave V1Y5Y2 ** Occupant **	200-1889 SPRINGFIELD RD KELOWNA BC V1Y 5V5

CITY OF KELOWNA

BYLAW NO. 12760

Z25-0001

1239 Pacific Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 1 District Lot 137 ODYD PLAN EPP113649 located on Pacific Avenue, Kelowna, BC from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Approved pursuant to section 52(3)(a) of the Transportation Act this

for Minister of Transportation & Transit

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



City of
Kelowna

Rezoning Application

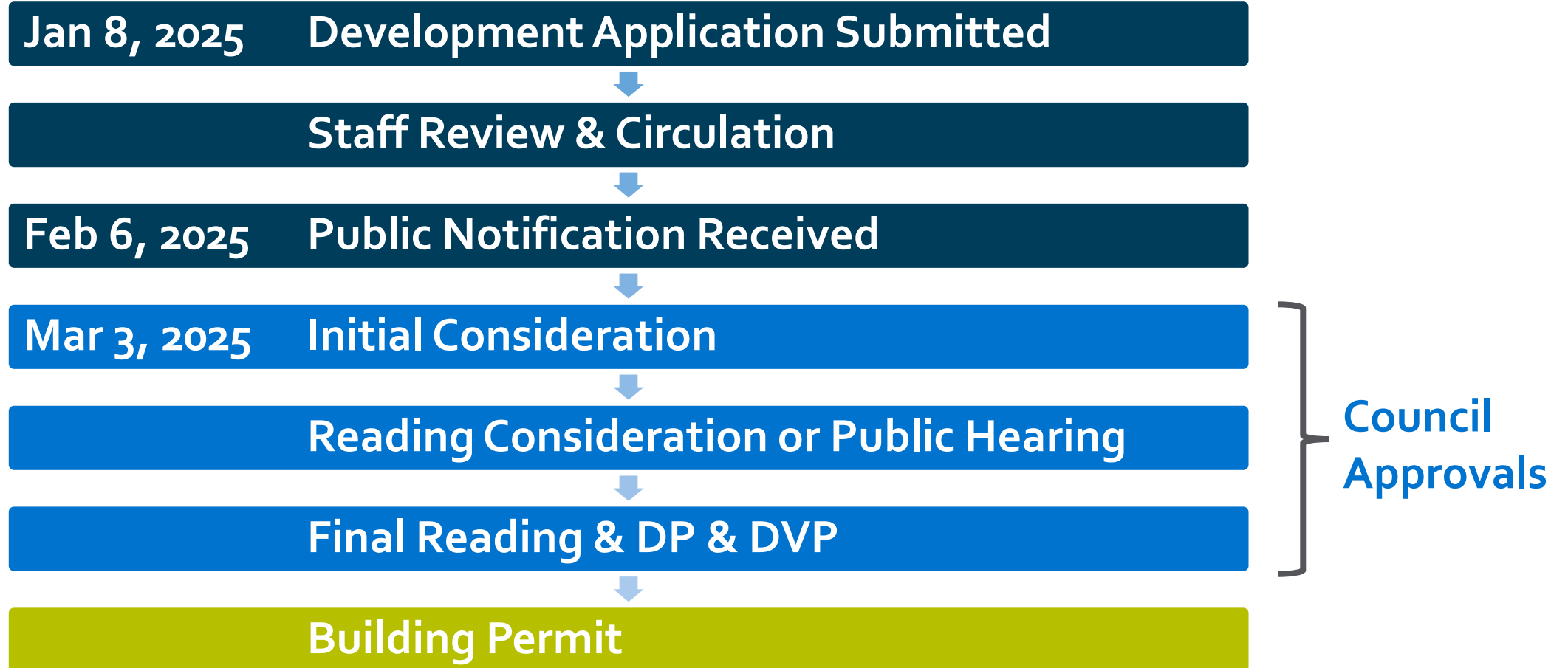
1239 Pacific Ave

Z25-0001

Purpose

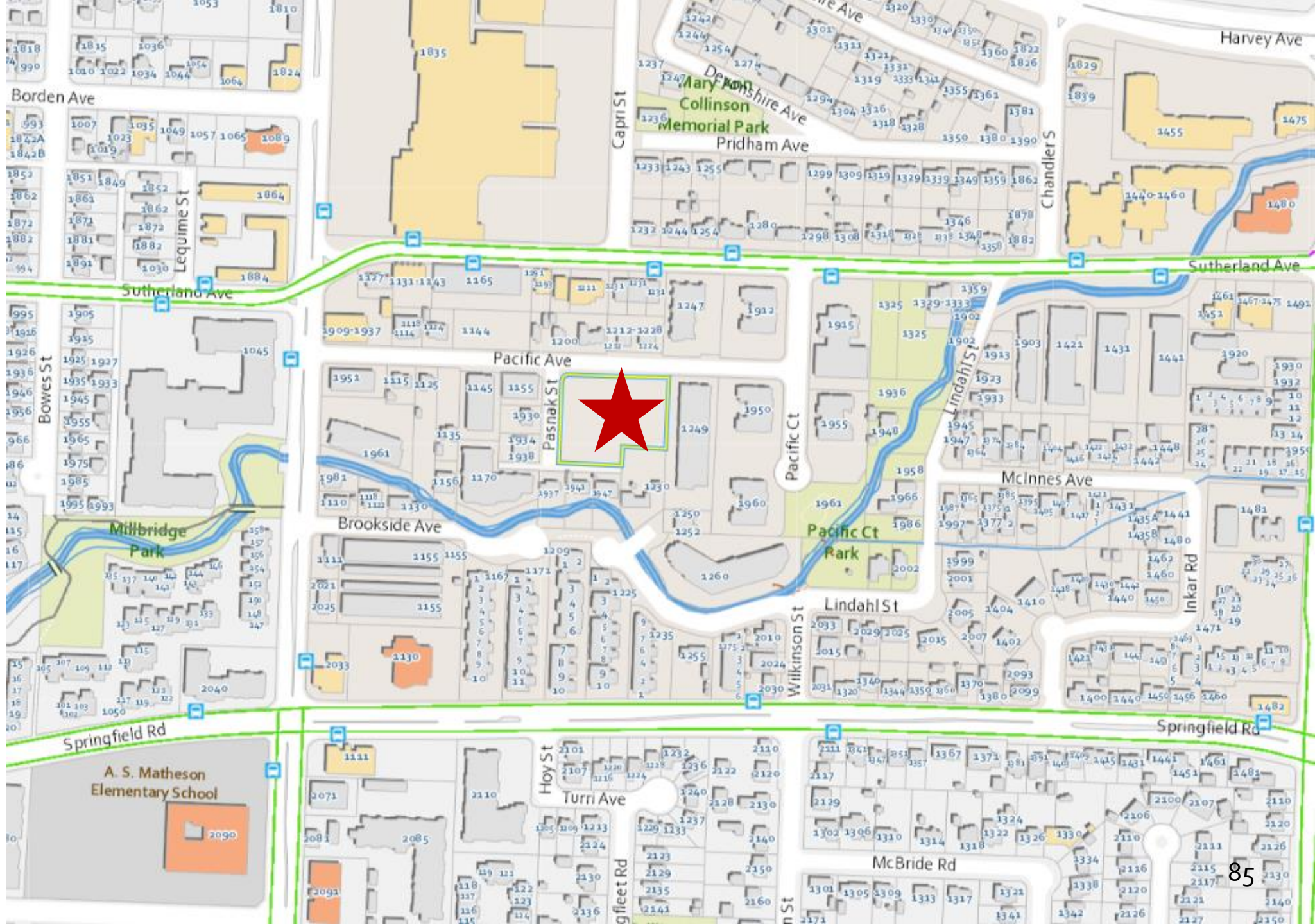
To rezone the subject property from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone to facilitate a rental apartment building.

Development Process



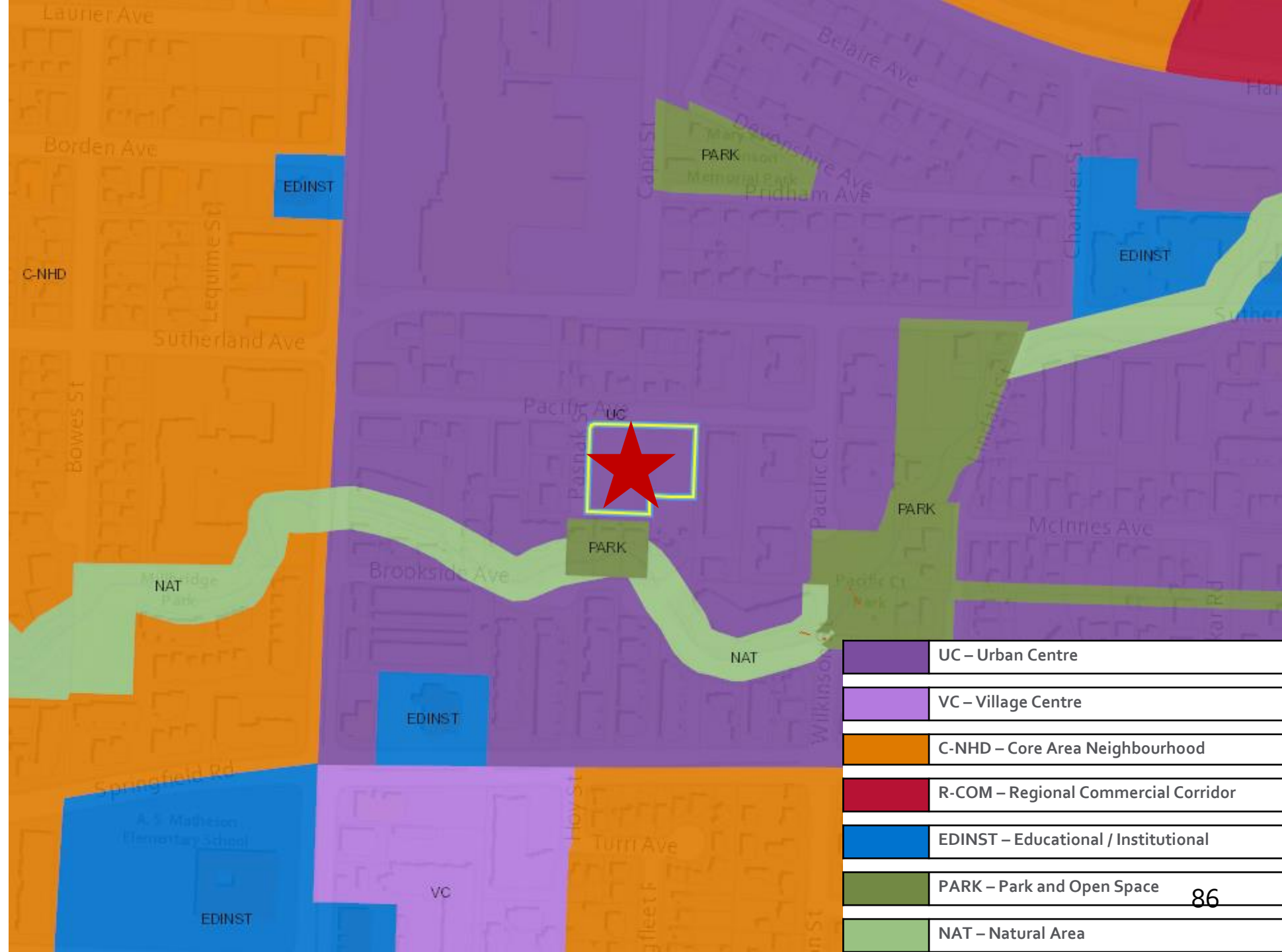


Context Map



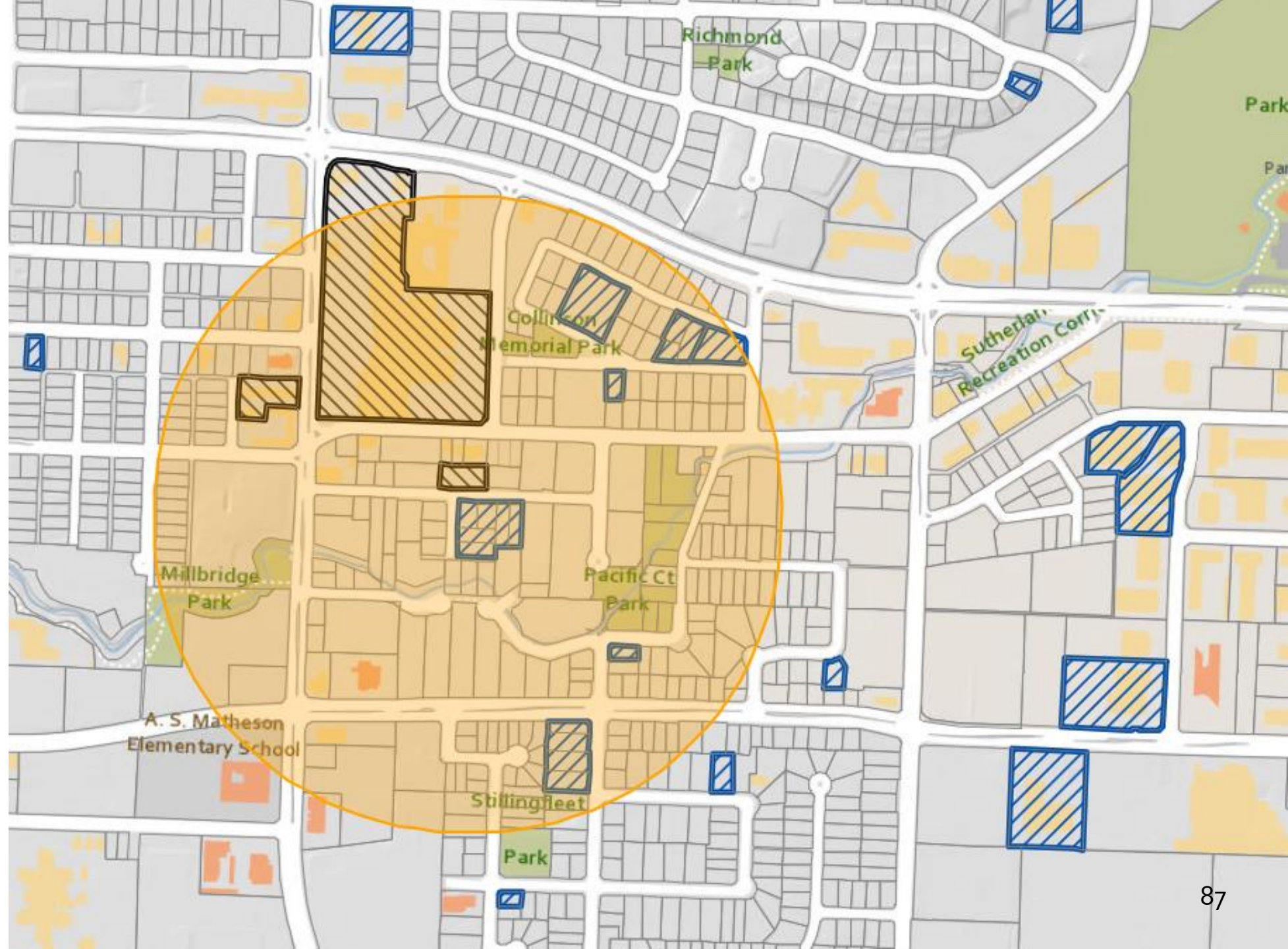


Context Map: OCP Future Land Use



Model City

Population: 3239
Jobs: 2084



“R” Rental Only Subzone

Purpose:

- To provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.

Summary of Uses:

- Dwelling units must be long-term rental only
- Eligible to apply for Revitalization Tax Exemption

“R” Rental Only Subzone

Regulation	Maximum Permitted
Bonus Height	N/A
Bonus Floor Area Ratio	Rental/Affordable: 0.3
Parking Reduction	20% Urban Centre

OCP Objectives: Climate Resilience

10 min walk to retail / restaurants	Dark Green
5 min walk to park	Dark Green
10 min bike to public school	Dark Green
20 min bus to urban/village centre / employment hub	Dark Green
Retaining trees and/or adding trees	Dark Green
OCP Climate Resilience Consistency	Dark Green

LEGEND

Dark Green
meets criteria

Light green
will meet criteria soon

Yellow
does not meet criteria

OCP Objectives & Policies

- UC – Urban Centre
 - Policy 4.5.1 – Use the Capri-Landmark Urban Centre Plan for detailed policy guidance in the Capri-Landmark Urban Centre
 - Policy 4.12.1 – Ensure a diverse mix of medium-density and high-density housing forms in Urban Centres to support a variety of household types and sizes, income levels and life stages
 - Policy 4.12.3 – Encourage a range of rental and ownership tenures that support a variety of households, income levels, and life stages

Staff Recommendation

- Staff recommend **support** for the proposed rezoning as it is consistent with:
 - OCP Future Land Use Urban Centre
 - OCP Objectives in Chapter 4
 - Housing Diversity
 - Rental Housing
 - Development Permit and Development Variance Permit to follow for Council consideration

REPORT TO COUNCIL

LIQUOR LICENSE



Date: March 3, 2025
To: Council
From: City Manager
Address: 908 Wilson Ave
File No.: LL25-0002

	Existing	Proposed
OCP Future Land Use:	EDINST – Education / Institutional	EDINST – Education / Institutional
Zone:	P2 – Education and Minor Institutional	P2 – Education and Minor Institutional

1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with Division 9 (71) of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Royal Canadian Legion, Branch No. 26 (209384) for a liquor primary licence for Lot A District Lot 138 ODYD Plan 34419 Except Plan EPP61996, located at 908 Wilson Ave, Kelowna, BC for the following reasons:
 - Council Policy 359 recommends supporting hours of operations no later than 2:00am within the Central Area when the capacity does not exceed 500 persons. The proposed hours, indoor and patio, as well as the increased capacity requests comply with this policy.
2. Council’s comments on LCRB’s prescribed considerations are as follows:
 - a) The location of the establishment:
The proposed location is suitable for a medium size liquor primary licence establishment as the property is located on two Active Transportation Corridors and has transit adjacent to the subject property with servicing two different bus routes.
 - b) The proximity of the establishment to other social or recreational facilities and public buildings:
The subject property is not located within close proximity to other social, recreational facilities or public buildings.
 - c) The person capacity and hours of liquor service of the establishment:
The person capacity is 213 persons and the hours are until 1:00 am. Both the capacity and hours are consistent with Council Policy 359.
 - d) The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location:
The location of the subject property is located two blocks south of the Brewery District and other Liquor Primary establishments.

- e) The impact of noise on the community in the immediate vicinity of the establishment:
The potential impact for noise is minimal as the applicant has provided a noise mitigation plan which includes building upgrades, event management, communicating member conduct expectation, and proactive community engagement.
 - f) The impact on the community if the application is approved:
The potential for negative impacts is minimal as proposal is consistent with Council Policy 359 which was structured to minimize impact on the community.
3. The views of residents are summarized in the Staff report for the subject application. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

2.0 Purpose

To support a relocation of licence with a structural change to increase the overall capacity to 213 persons.

3.0 Development Planning

Staff support the request to relocate the liquor licence and increase the capacity for the Royal Canadian Legion. The subject property is located in an established residential area surrounded by primarily townhomes or single detached housing. Council Policy 359 recommends supporting liquor primary licence applications for establishments supporting alternative entertainment options and/or establishments which are less focused on alcohol consumption.

The applicant is seeking to increase the overall capacity from 156 to 213. The proposed increase is consistent with Council Policy 359 for capacities located within the Central Area as the capacity does not exceed 500 persons. The applicant is not seeking to change the hours of their current licence. The proposed hours, indoor and on the proposed patio, are consistent with permissible operating hours highlighted in council Policy 359.

The applicant has provided a noise and disturbance mitigation plan. As the proposed establishment is located in a residential neighbourhood, several steps have been implemented to mitigate the impact on nearby residence. The buildings has been renovated, including sound-reducing windows. Events with loud music will end by a set time to follow local rules. Outdoor areas will have limited use, stopping late at night. Signage will guide respectful conduct, and there will be efforts to connect with nearby residents.

4.0 Project Details

Existing Hours:

		Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open		11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
Close	Indoor	12:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM
	Patio	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

Occupant Load:

	Existing	Proposed
Indoor	125	180
Outdoor	31	33

5.0 Site Context & Background

Orientation	Zoning	Land Use
North	MF1 – Infill Housing	Single Detached Housing
East	MF1 – Infill Housing	Single Detached Housing
South	MF1 – Infill Housing	Single Detached Housing
West	MF2 – Townhouse Housing	Apartment Housing

Subject Property Map: 908 Wilson Ave



The subject property is located on Wilson Avenue, fronting three streets: Ethel Street, Cawston Avenue, and Wilson Avenue. There is public transit on Cawston Avenue, adjacent to the subject property. Cawston Avenue and Ethel Street are both Active Transportation Corridors.

6.0 Public Input Received

Neighbour notification was conducted in accordance with Council Policy 359 Liquor Licensing Policy & Procedures:

- Notices were delivered to properties within a 50 meter radius of the subject property on February 11, 2025; and
- Signage was erected on the subject property on February 12, 2025.

Notification provided an opportunity for affected residents to comment on the proposal. One member of the public, who lives within the 50 meter radius, provided comments in support of the application.

7.0 Current Development Policies

7.1 Council Policy #359 – Liquor Licensing Policy and Procedures

The following sections of Policy #359 are applicable to this application:

- Liquor service for a licenced establishment within the Central Area may be permitted between the hours of 9:00 AM and 2:00 AM.
- Within the Central Area, an outdoor patio at a licenced establishment may not operate later than 11:00 PM.
- A licenced establishment within the Central Area that closes later than midnight, must limit capacity to 500 persons.
- Where liquor service is provided in conjunction with alternative entertainment options that are less focused on alcohol consumption, including cultural or event-driven establishments.

8.o **Application Chronology**

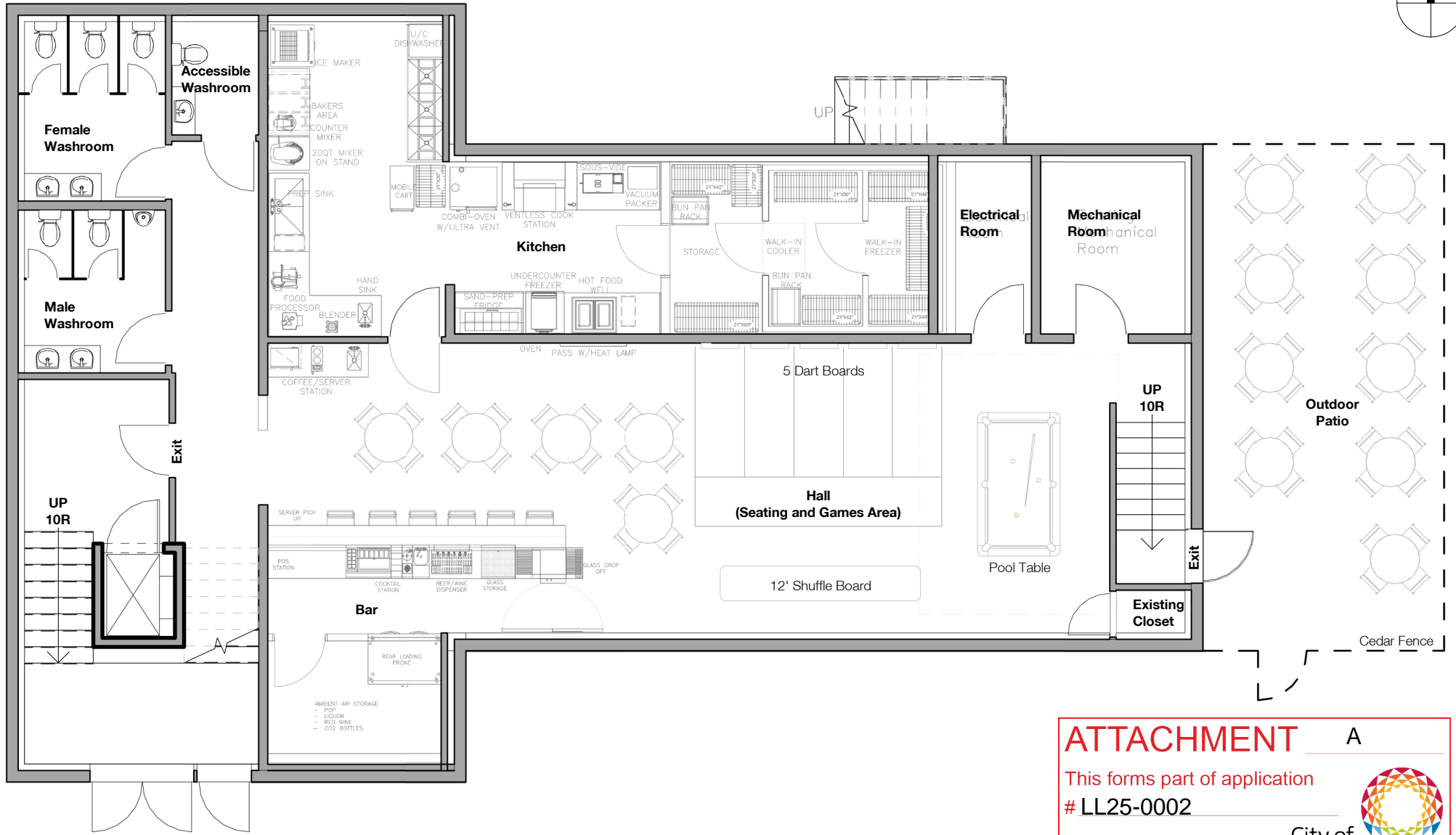
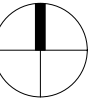
Application Accepted: January 29, 2025

Report prepared by: Jason Issler, Planner II
Reviewed by: Adam Cseke, Development Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Attachment A: Floor Plan/Site Plan/Occupant Load
Attachment B: Letter of Rationale
Attachment C: Summary of Neighbourhood Notification
Attachment D: Noise Mitigation Plan

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



Basement Floor Plan
Gross Floor Area: 240 m² Approx.
Occupant Load at this Floor: 82 persons

Outdoor Patio
Gross Floor Area: 40 m² Approx.
Occupant Load at this Floor: 33 persons

Total Building Occupant Load: 273 persons

ATTACHMENT A

This forms part of application
 # LL25-0002

Planner Initials **JJ**

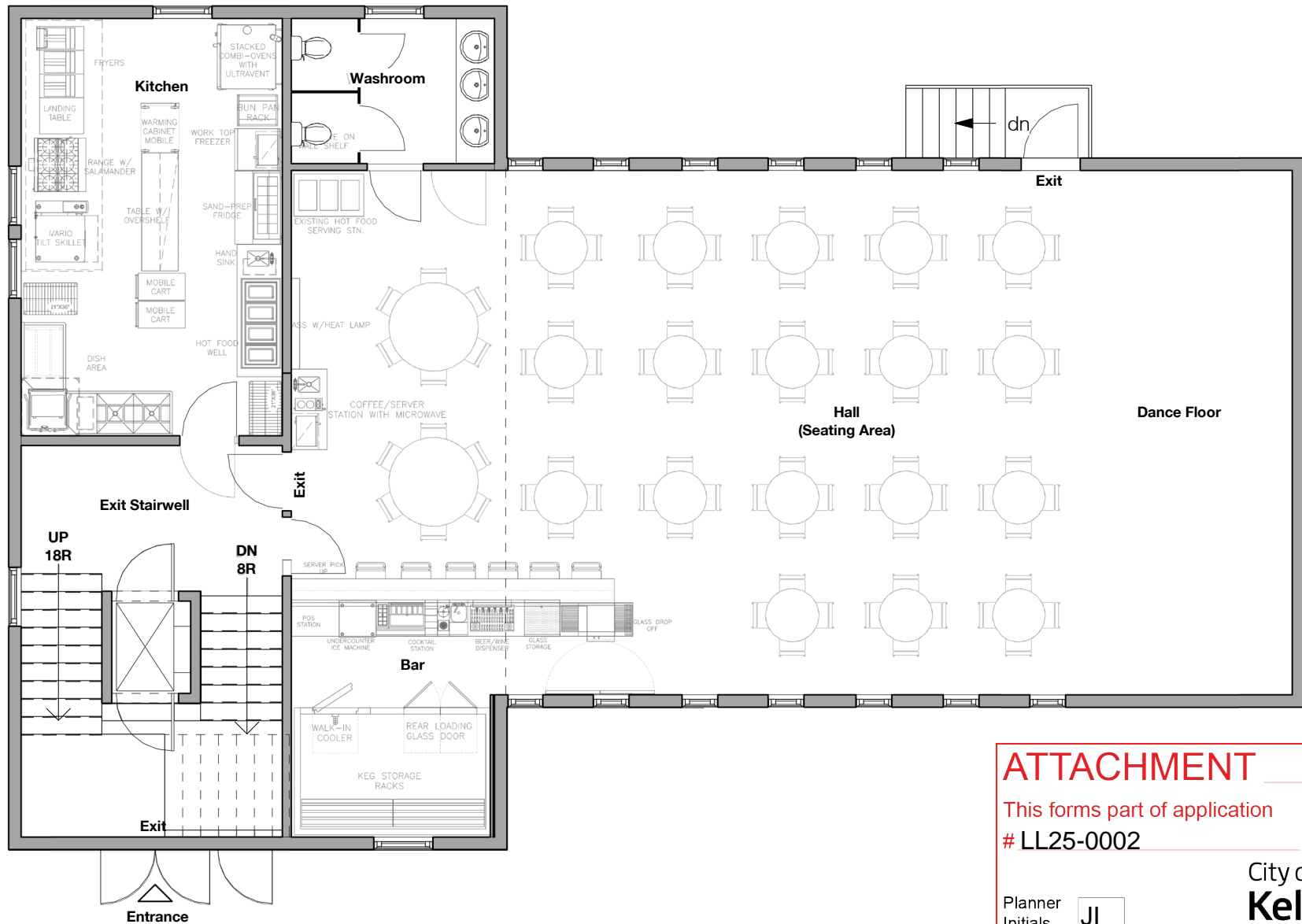
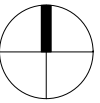


City of Kelowna
 DEVELOPMENT PLANNING



Project	Legion Branch Tenant Improvement 908 Wilson Avenue, Kelowna BC
Project ID	UBCOLF
Scale	1 : 100
Ryder Project No.	11683:00
Date	20241223

Sketch Title	Basement Floor Plan
Sketch No.	SK-011



Main Floor Plan

Gross Floor Area: 240 m² Approx.

Occupant Load at this Floor: 98 persons

Total Building Occupant Load: 273 persons



ATTACHMENT A

This forms part of application
LL25-0002

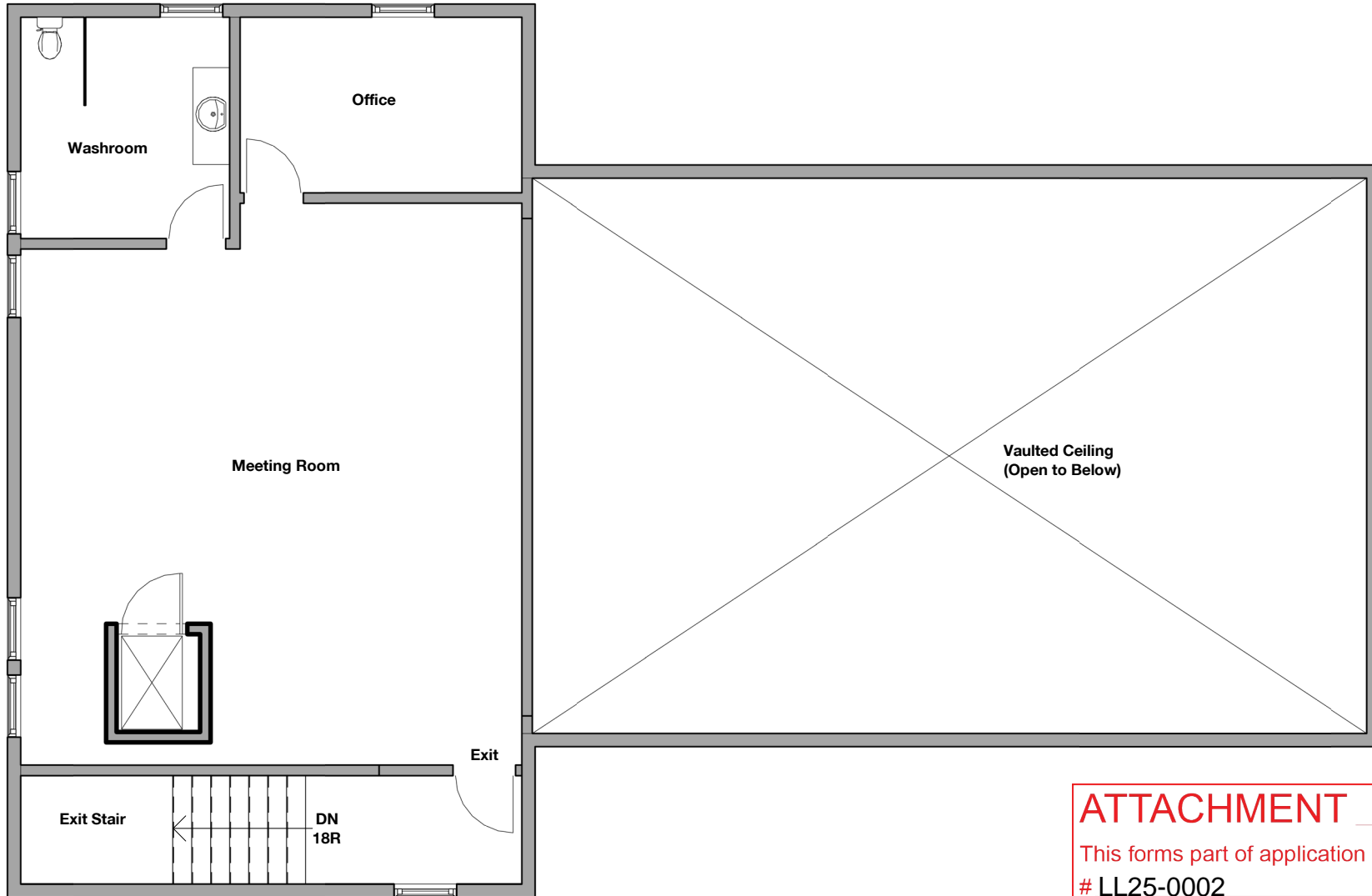
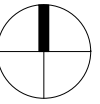
Planner Initials **JJ**

Kelowna
DEVELOPMENT PLANNING

Project	Legion Branch
	Tenant Improvement
	908 Wilson Avenue, Kelowna BC
Project ID	Ryder Project No.
UBCOLF	11683:00
Scale	Date
1 : 100	20241223

Sketch Title	Main Floor Plan
Sketch No.	

SK-012



ATTACHMENT A

This forms part of application
LL25-0002

Planner Initials **JJ**

Second Floor Plan
Gross Floor Area: 120 m² Approx.
Occupant Load at this Floor: 60 persons

Total Building Occupant Load: 273 persons



Project	Legion Branch Tenant Improvement 908 Wilson Avenue, Kelowna BC
Project ID	UBCOLF
Scale	1 : 100
Ryder Project No.	11683:00
Date	20241223

Sketch Title	Second Floor Plan
Sketch No.	SK-013 100

Ryder

info@ryderarchitecture.ca
www.ryderarchitecture.ca

Attention: January 17, 2025

BC Liquor Control Board
City of Kelowna

Dear Sir or Madam,

Re: Notice of Relocation and Request for Relocation of Primary Liquor License

On behalf of the Royal Canadian Legion Kelowna Branch, I am writing to formally notify you of our intent to relocate our operations and request the relocation of our primary liquor license to our new premises located at 908 Wilson Avenue, Kelowna, BC.

This relocation was necessitated by structural concerns at our previous location at 1380 Bertram Street. Our new premises, situated approximately 450 meters from the former site, remains in the downtown core and offers enhanced amenities, including improved parking facilities, which have been a long-standing priority for our members and guests.

The new Wilson Avenue location will serve as the central hub for our community engagement and licensed operations, supporting our mission to honor and assist veterans and their families. We are pleased to inform you that full food service will continue to be offered at the new location, and we will maintain the patio area as part of our licensed space. Additionally, we will continue with the family food service endorsement to ensure we remain a family-friendly venue. Furthermore, there will be no changes to our hours of operation.

The licensed areas at the new Wilson location will include the main floor, basement floor, and patio, with an occupancy load of 213 people in these areas. This is a reduction from the total 273-person occupancy listed on the plans, due to the exclusion of the second-floor offices and meeting rooms from the licensed area. We remain fully committed to upholding all regulatory requirements associated with our liquor license and ensuring responsible service at our new address.

Given that our former 1380 Bertram Street location is no longer operational, this relocation is essential to allow us to resume our vital services to the community and our members. As such, we respectfully request that the approval process for the primary liquor license relocation be expedited. A prompt decision will enable us to quickly reestablish our operations and continue supporting the veterans and residents who rely on the programs and events we provide.

We are eager to resume full operations in our new location and are confident this move will significantly enhance our ability to serve both our members and the broader Kelowna community.

Thank you for your attention to this matter and for your continued support of the Royal Canadian Legion.

Sincerely
Jim White, PRESIDENT
Branch 26 Kelowna Legion

ATTACHMENT B

This forms part of application
LL25-0002

Planner Initials

City of Kelowna
DEVELOPMENT PLANNING



Royal Canadian Legion Branch 26 Kelowna
908 Wilson Ave (formerly 1317 Ethel St)
Kelowna, BC, V1Y 6Y1
rcl26kelowna@shaw.ca
250-762-4117

Feb 5th, 2025

Subject: Notice of Relocation and Liquor Primary License Transfer – Royal Canadian Legion Branch 26

Dear Neighbor,

We are reaching out to inform you that the Royal Canadian Legion Branch 26 Kelowna is in the process of relocating to 908 Wilson Ave. in your neighborhood. As part of our transition, we are also applying to relocate our existing Liquor Primary License to our new location, in accordance with the City of Kelowna's policies and regulations.

The Royal Canadian Legion is a longstanding non-profit organization dedicated to supporting veterans, their families, and the community. We offer a welcoming environment for social and charitable activities while also providing essential programs and services.

As a responsible community partner, we want to ensure that our neighbors are informed and have the opportunity to ask any questions or share any concerns. Our proposed new location will maintain the same commitment to respect, safety, and responsible service that we have upheld at our old location for the last 25 years. In our old neighborhood, which is very similar, we enjoyed positive interactions with our neighbors and no complaints regarding our operations. In addition, in our old location, we had after-hour security patrols seven days a week to help ensure safety and maintain a peaceful environment. Our long-term experience demonstrates our commitment to being a respectful and valued member of the community.

To address potential concerns regarding noise, we have developed a comprehensive Noise Mitigation Plan. This plan includes measures such as soundproofing the premises, setting reasonable operating hours, monitoring noise levels, and implementing strict policies for outdoor activities. We are committed to minimizing any disruption to the surrounding community while ensuring a welcoming environment for our members and guests.

We would like to invite you to provide any feedback you may have regarding this relocation and liquor license transfer. Should you have any questions or concerns, please feel free to contact me, Jim White, directly on my cell at 250-864-1502 or by phone at 250-762-4117, or email at rcl26kelowna@shaw.ca. You can also provide your feedback directly to the City of Kelowna planning representative, Jason Issler, by phone at 250-470-0659 or email at jissler@kelowna.ca.

We appreciate your time and consideration and look forward to becoming a valued part of the neighborhood. Thank you for your support.

Sincerely,

Jim White
President
Royal Canadian Legion Branch 26 Kelowna

ATTACHMENT	C
This forms part of application # LL25-0002	
Planner Initials	Jl
 City of Kelowna DEVELOPMENT PLANNING	

Address
880 Cawston Ave V1Y2W7
924 Cawston Ave V1Y6Z8
926 Cawston Ave V1Y6Z8
930 Cawston Ave V1Y6Z8
936 Cawston Ave V1Y6Z8
942-944 Cawston Ave V1Y6Z8
952 Cawston Ave V1Y6Z8
1279 Ethel St V1Y2W8
1284 Ethel St V1Y2W7
1285 Ethel St V1Y2W8
1286 Ethel St V1Y2X1
1291 Ethel St V1Y2W8
1292 Ethel St V1Y2W7
1330 Ethel St V1Y2X2
1 1338 Ethel St V1Y2X2
2 1338 Ethel St V1Y2X2
3 1338 Ethel St V1Y2X2
4 1338 Ethel St V1Y2X2
894 Wilson Ave V1Y6X9
895 Wilson Ave V1Y6Y1
907 Wilson Ave V1Y6Y1
908 Wilson Ave V1Y2X1
917 Wilson Ave V1Y6Y1
919 Wilson Ave V1Y6Y1
921 Wilson Ave V1Y6Y1
927 Wilson Ave V1Y6Y1
928 Wilson Ave V1Y6Y2
932 Wilson Ave V1Y6Y2
935 Wilson Ave V1Y6Y1
936 Wilson Ave V1Y6Y2
937 Wilson Ave V1Y6Y1
942 Wilson Ave V1Y6Y2
945-949 Wilson Ave V1Y6Y1

ATTACHMENT C

This forms part of application
LL25-0002

Planner
Initials

JI



City of
Kelowna
DEVELOPMENT PLANNING

January 17th 2025

Attention: BC Liquor Control Board and the City of Kelowna

ATTACHMENT		D
This forms part of application # LL25-0002		
Planner Initials	JJ	 City of Kelowna <small>DEVELOPMENT PLANNING</small>

Dear Sir or Madam,

Re: Noise and Disturbance Mitigation Plan for Relocation to 908 Wilson Avenue

As part of our application to transfer the primary liquor license to our new location at 908 Wilson Avenue, Kelowna, BC, the Royal Canadian Legion Kelowna Branch is committed to ensuring that noise and disturbances in the surrounding neighborhood are minimized.

For years, our previous location at 1380 Bertram Street, which was situated in a similar downtown residential and mixed-use neighborhood, operated without any recorded complaints regarding noise or disturbances. We are proud of this track record and intend to maintain the same level of respect and consideration for our new neighbors.

Our events are designed to foster community engagement and typically include activities such as:

- **Veterans' support initiatives and community meetings**
- **Social gatherings and commemorative events**
- **Family-oriented activities and fundraisers**
- **Moderately sized live entertainment and dances**

These events are planned with respect for the surrounding community, adhering to reasonable hours of operation and local noise bylaws.

To further mitigate potential noise or disturbances at our new location, the following measures have been implemented:

1. **Building Upgrades:** The new premises have undergone significant renovations, including the previous installation of sound-reducing windows, to limit external noise transmission.
2. **Event Management:** Events involving amplified music or other sound-generating activities will conclude by an appropriate hour to comply with local regulations.
3. **Outdoor Spaces:** Any outdoor areas will be designated for limited use, and operations will cease during late-night hours to prevent disruptions.
4. **Member and Guest Conduct:** Signage and communications will encourage members and guests to respect the neighborhood when arriving, departing, or participating in events.
5. **Proactive Community Engagement:** We will actively engage with nearby residents to address any concerns and foster a positive relationship with the community.

The Royal Canadian Legion is committed to being a responsible and respectful community member, as demonstrated by our long history of successfully integrating into neighborhoods. We are confident that our new location at 908 Wilson Avenue will maintain this standard while allowing us to continue serving our members and the broader community.

Thank you for your consideration of this application. Should you require further information or wish to discuss our plans, please feel free to contact me directly.

Sincerely,
Jim White
President
Kelowna Legion Branch 26



ATTACHMENT D

This forms part of application
LL25-0002

Planner Initials

City of **Kelowna**
DEVELOPMENT PLANNING



Liquor Licence Application

908 Wilson Ave

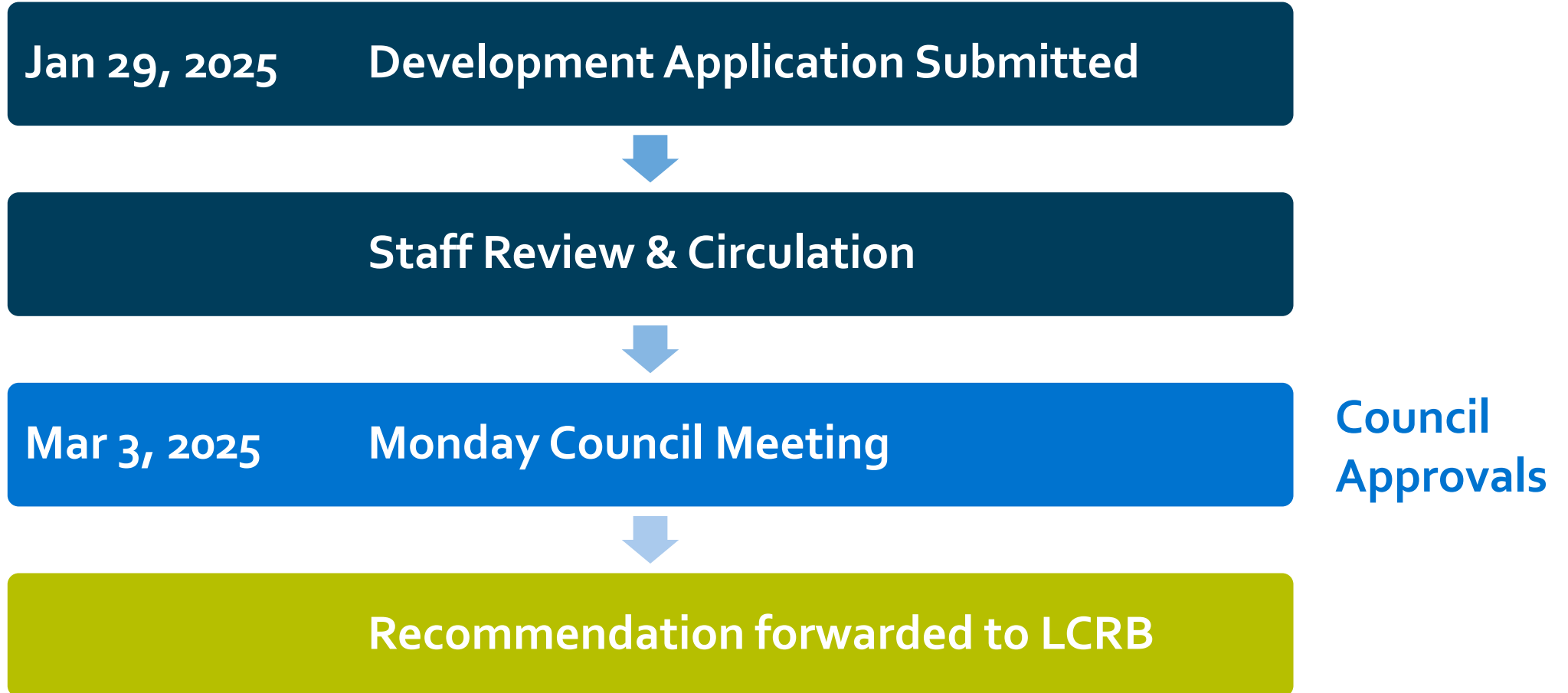
LL25-0002



Purpose

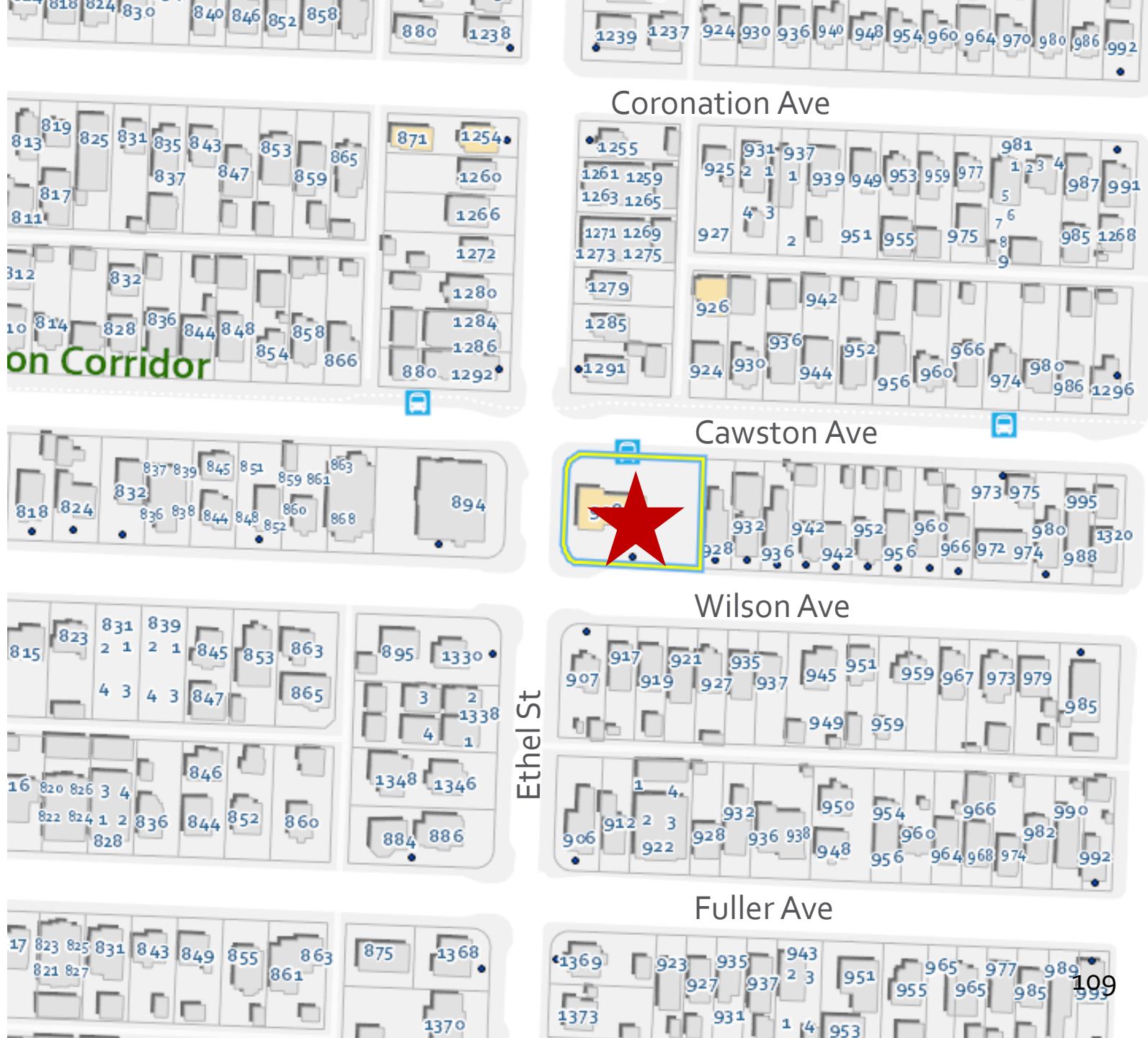
- To seek Council's support for a relocation of licence with a structural change to increase the overall capacity to 213 persons.

Development Process





Context Map





Subject Property Map



Hours of Sale

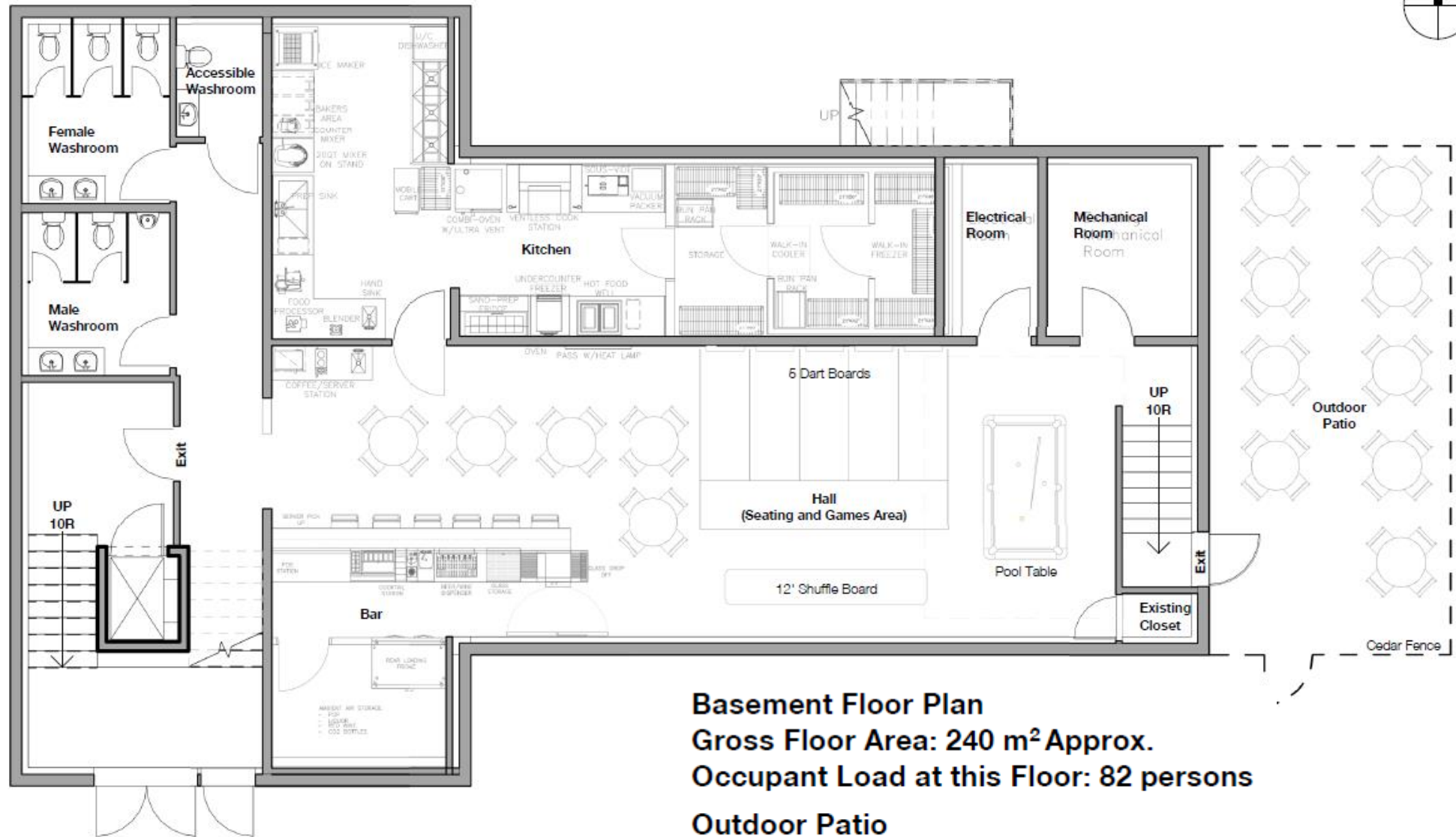
EXISTING		Sun	Mon	Tue	Wed	Thu	Fri	Sat
Open		11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
Close	Indoor	12:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM
	Outdoor	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

Occupant Load

	Existing	Proposed
Indoor	125	180
Outdoor	31	33



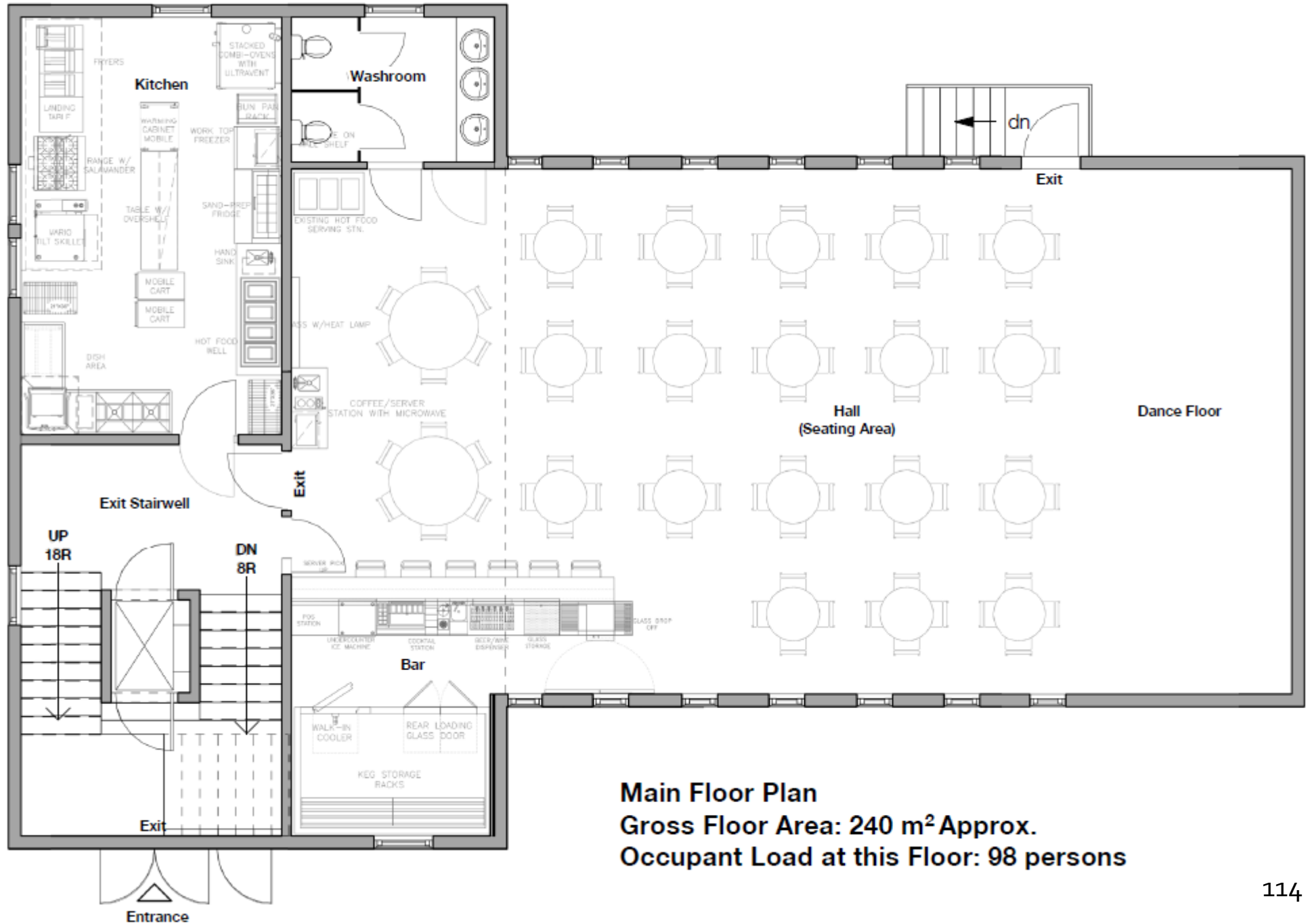
Occupant Load



Basement Floor Plan
Gross Floor Area: 240 m² Approx.
Occupant Load at this Floor: 82 persons

Outdoor Patio
Gross Floor Area: 40 m² Approx.
Occupant Load at this Floor: 33 persons

Occupant Load



Main Floor Plan
Gross Floor Area: 240 m² Approx.
Occupant Load at this Floor: 98 persons

Public Input

- Notices Delivered on February 11, 2025
- Signage placed on property February 12, 2025

- Input received from one individual expressing support of the application

Council Policy #359

- Liquor service for a licenced establishment within the Central Area may be permitted between the hours of 9:00 AM and 2:00 AM.
- Within the Central Area, an outdoor patio at a licenced establishment may not operate later than 11:00 PM.
- A licenced establishment within the Central Area that closes later than midnight, must limit capacity to 500 persons.
- Where liquor service is provided in conjunction with alternative entertainment options that are less focused on alcohol consumption, including cultural or event-driven establishments.

Staff Recommendation

- Staff recommend support for the proposed liquor licence as it is consistent with:
 - Council Policy #359
- That Council directs Staff to forward a resolution of support to the LCRB.

REPORT TO COUNCIL RESCIND



Date: March 3, 2025
To: Council
From: City Manager
Address: 1975 Union Rd
File No.: Z21-0056

	Existing	Proposed
OCP Future Land Use:	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
Zone:	C1 – Local & Neighbourhood Commercial	MF3 – Apartment Housing

1.0 Recommendation

THAT Council receives, for information, the Report from the Development Planning Department dated March 3, 2025 with respect to Rezoning Application No. Z21-0056 for the property located at 1975 Union Rd.

AND THAT Bylaw No. 12481 be forwarded for rescindment consideration and the file be closed.

2.0 Purpose

To rescind all three readings given to Rezoning Bylaw No. 12481 and direct Staff to close the file.

3.0 Discussion

Development applications were accepted by the City in May 2021 for the subject property. The applications were originally submitted under the previous 2030 Official Community Plan (OCP) and Zoning Bylaw No. 8000. The rezoning bylaw received reading consideration in February 2023 and Council authorized an extension request in March 2024, which extended the deadline for adoption of the rezoning bylaw to February 27, 2025. As part of that extension, Staff were directed to not accept any further extension requests. Since the extension was granted, there has not been any progress on the application over the past year and the Development Engineering Memorandum that is associated with the adoption of the rezoning bylaw has now expired. Staff recommend support for the rescindment of the rezoning bylaw on the subject property.

There have been changes to application processing, including unpairing rezoning and development permit applications, since this application was first considered by Council in February 2023. This will facilitate more streamlined processing for future development applications on the property.

Subject Property Map: 1975 Union Rd



4.0 Application Chronology

Application Accepted: May 28, 2021
Reading Consideration: February 27, 2023
Date of Extension Consideration: March 11, 2024

Report prepared by: Kimberly Brunet, Planner Specialist
Reviewed by: Alex Kondor, Development Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

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

CITY OF KELOWNA

BYLAW NO. 12481

Z21-0056

1975 Union Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 27 Section 4 Township 23 ODYD Plan KAP51847 located on Union Road Kelowna, BC from the C1 – Local & Neighbourhood Commercial zone to the MF3 – Apartment Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 27th day of February, 2023.

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL TEXT AMENDMENT



Date: March 3, 2025
To: Council
From: City Manager
Address: n/a
File No.: TA25-0001

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA25-0001 to amend the City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule “A” attached to the Report from the Development Planning Department dated March 3, 2025 be considered by Council;

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

2.0 Purpose

To amend the Zoning Bylaw to align short-term rental regulations with the Provincial short-term rental legislation.

3.0 Background

On January 22, 2024, Council approved regulations prohibiting new secondary use short-term rental accommodation in Kelowna. Only existing secondary use short-term rentals with a valid business licence could continue to operate after May 1, 2024.

On May 1, 2024, new Provincial legislation under *Bill 35 – Short-Term Rental Accommodations Act* came into effect. Under the Act, new requirements for short-term rentals included mandatory licensing, registration, and a principal residency requirement.

At the January 20, 2025, Council meeting, staff presented data regarding local short-term rentals, tourism, and housing. Council directed staff to bring forward bylaw amendments to align local regulations with provincial standards.

Previous Council Resolution

Resolution	Date
<p>THAT Council receives the report from the Development Planning Department, dated January 20, 2025, regarding Short-Term Rental accommodation;</p> <p>AND THAT Council directs staff to bring forward draft bylaws to align local regulations with provincial standards.</p>	January 20, 2025

4.0 Development Planning

In response to Council direction, Staff recommend amending the Zoning Bylaw to align with Provincial short-term rental legislation by:

- Adding short-term rental accommodation to the permitted use of a dwelling unit;
- Removing restrictions on short-term rental accommodations in secondary suites and carriage houses;
- Requiring short-term rental accommodation to be operated by a principal resident;
- Limiting short-term rentals to a maximum of three (3) bedrooms per dwelling unit;
- For a lot with a single detached dwelling (with or without a secondary suite) and a carriage house, allowing a maximum of two (2) dwelling units and five (5) bedrooms to be used for short-term rental accommodation per parcel;
- For lots with multi-dwelling housing, allowing each dwelling unit to be used for short-term rental with a maximum of (3) bedrooms;
- Removing outdated provisions that allowed short-term rental accommodation as a permitted principal use in specific zones and on specific parcels.

Timing & Next Steps

If Council supports the proposed bylaw amendments, the new regulations are anticipated take effect in April 2025. This timeline would allow short-term rental accommodation operators to register with the Provincial registry and obtain a business licence prior to the peak tourist season.

Staff are also preparing amendments to the Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720 which will be brought forward to Council in March 2025.

5.0 Current Development Policies

Objective 4.14 Protect the rental stock in Urban Centres.	
Policy 4.14.3 Short-Term Rentals.	Ensure short-term rental accommodations limits impact on the long-term rental housing supply.
Objective 5.13 Protect the rental housing stock.	
Policy 5.13.3 Short-Term Rentals	Ensure short-term rental accommodations do not negatively impact the long-term rental housing supply.
Objective 6.10 Prioritize the construction of purpose-built rental housing.	
Policy 6.10.5 Short-Term Rentals	Ensure short-term rental accommodations limits impact on the long-term rental housing supply.

Report prepared by: Mark Tanner, Planner Specialist
Sara Skabowski, Planner I

Reviewed by: Adam Cseke, Development Planning Manager

Reviewed by: Nola Kilmartin, Development Planning Department Manager

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

Attachments:
Schedule A: Proposed Text Amendment

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

Schedule A – Proposed Text Amendment

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 5 – Definitions & Interpretations, Section 5.3 General Definitions	<p>SHORT-TERM RENTAL ACCOMMODATION means the use of a dwelling unit or one or more sleeping units within a dwelling unit for temporary overnight accommodation for a period of time less than 90 consecutive days. This use excludes hotels and motels. Short-term rental accommodations shall not be permitted to operate within a boarding or lodging house, a carriage house, a group home, or within a secondary suite.</p> <p>See Section 9.10 for Short Term Rental Accommodation Specific Regulations.</p>	<p>SHORT-TERM RENTAL ACCOMMODATION means the use of a dwelling unit or a portion of a dwelling unit for temporary overnight accommodation for a period of time less than 90 consecutive days. This use excludes hotels and motels. Short-term rental accommodations shall not be permitted to operate within a boarding or lodging house or a group home.</p> <p>See Section 9.10 for Short Term Rental Accommodation Specific Regulations.</p>	To specify that short-term rental accommodation can be located within a secondary suite or carriage home.
2.	Section 5 – Definitions & Interpretations, Section 5.3 General Definitions	<p>DWELLING UNIT 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. Wet bars are permitted. This use does not include a hotel or motel. A secondary suite and a carriage house are each considered a dwelling unit.</p>	<p>DWELLING UNIT 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. Wet bars are permitted. A dwelling unit may include short-term rental accommodation, but does not include a hotel or motel. A secondary suite and a carriage house are each considered a dwelling unit.</p>	To add short-term rental accommodation to the definition of a dwelling unit.
3.	Section 5 – Definitions & Interpretations, Section 5.3 General Definitions	<p>SECONDARY SUITE means a self-contained dwelling unit located within a building or portion of building. The secondary suite shall:</p> <ol style="list-style-type: none"> (a) be fully compliant with the BC Building Code at the time of construction; (b) completely separated from other parts of the building by fire separations; (c) located in a building of only residential occupancy; (d) have an issued Occupancy Permit; (e) located within a single detached dwelling, a semi-detached unit, a duplex unit, or a townhouse unit (secondary suites cannot be located in an apartment housing, or a boarding or lodging house); (f) located in a building or portion of a building that is single real estate entity; (g) located on a lot serviced with community water. <p>The secondary suite and principal dwelling are not required to be interconnected through a conditioned doorway. Short-term rental accommodations, bed & breakfast homes, boarding or lodging homes, and group homes, shall not be permitted to operate within a secondary suite.</p>	<p>SECONDARY SUITE means a self-contained dwelling unit located within a building or portion of building. The secondary suite shall:</p> <ol style="list-style-type: none"> (a) be fully compliant with the BC Building Code at the time of construction; (b) completely separated from other parts of the building by fire separations; (c) located in a building of only residential occupancy; (d) have an issued Occupancy Permit; (e) located within a single detached dwelling, a semi-detached unit, a duplex unit, or a townhouse unit (secondary suites cannot be located in an apartment housing, or a boarding or lodging house); (f) located in a building or portion of a building that is single real estate entity; (g) located on a lot serviced with community water. <p>The secondary suite and principal dwelling are not required to be interconnected through a conditioned doorway. Bed & breakfast homes, boarding or lodging homes, and group homes, shall not be permitted to operate within a secondary suite.</p>	To remove the restriction on short-term rental accommodation in a secondary suite.
4.	Section 9 – Specific Use Regulations, Section 9.10 Short-Term	<p>9.10.1 No more than one booking or reservation for short-term rental accommodation is permitted in each dwelling unit at one time.</p> <p>9.10.2 No more than two adults may occupy a sleeping unit used for short-term rental accommodation.</p>	<p>9.10.1 Short-term rental accommodation must be operated by a principal resident that resides at the dwelling unit for more than 240 days a year. If a secondary suite or carriage house is used for short-term rental accommodation, it must be operated by a principal resident that resides at a dwelling unit on the same lot as the secondary suite</p>	To amend the short-term rental accommodation regulations to: <ul style="list-style-type: none"> • Require short-term rentals to be operated by a principal resident; • Require a business licence;

No.	Section	Current Wording	Proposed Wording	Reason for Change										
	Rental Accommodation	<p>9.10.3 The maximum number of sleeping units that may be used for short-term rental accommodation within dwelling units in the multi-dwelling zones and the core area & other zones is two (2) sleeping units.</p> <p>9.10.4 Parking must be provided in accordance with the parking and loading regulations of Section 8. Short term rental accommodations may not use required visitor parking spaces.</p>	<p><u>or carriage house for more than 240 days of a year. The principal residence does not apply to a property in respect of which an operator holds a fractional interest if the property may not be used as a principal residence by any person due to mandatory provisions in the applicable fractional ownership agreement.</u></p> <p>9.10.2 <u>Short-term rental accommodation must have a valid licence issued under the City of Kelowna Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720.</u></p> <p>9.10.3 No more than one booking or reservation for <u>short-term rental accommodation</u> is permitted in each <u>dwelling unit</u> at one time.</p> <p>9.10.4 <u>A maximum of three (3) sleepings units used for short-term rental accommodation is permitted per dwelling unit.</u></p> <p>9.10.5 <u>If a lot containing a single detached dwelling and a carriage house and/or a secondary suite is used for short-term rental accommodation, a maximum of two (2) dwelling units and five (5) sleeping units in total are permitted for short-term rental use.</u></p> <p>9.10.6 No more than two adults may occupy a sleeping unit for <u>short-term rental accommodation.</u></p> <p>9.10.7 <u>For properties within the Agricultural Land Reserve, short-term rental accommodation must be in accordance with the Agricultural Land Commission Act and its regulations.</u></p>	<ul style="list-style-type: none"> Limit the number of sleeping units used for short-term rental accommodation per dwelling unit. Limit the number of sleeping units used for short-term rental accommodation per lot. 										
5.	Section 14 – Core Area & Other Zones, Section 14.15 Site Specific Regulations	<table border="1"> <tr> <td data-bbox="500 993 553 1439">5.</td> <td data-bbox="553 993 842 1439">Lot A, Section 1 & 12, Township 25, Plan EPP92691</td> <td data-bbox="842 993 1100 1439">3838 Capozzi Road (Aqua Project)</td> <td data-bbox="1100 993 1401 1439"> To permit: <ul style="list-style-type: none"> A maximum permitted height of 15 storeys and 50.0 m. short term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9 </td> </tr> </table>	5.	Lot A, Section 1 & 12, Township 25, Plan EPP92691	3838 Capozzi Road (Aqua Project)	To permit: <ul style="list-style-type: none"> A maximum permitted height of 15 storeys and 50.0 m. short term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9 	<table border="1"> <tr> <td data-bbox="1417 993 1470 1439">5.</td> <td data-bbox="1470 993 1759 1439">Lot A, Section 1 & 12, Township 25, Plan EPP92691</td> <td data-bbox="1759 993 2017 1439">3838 Capozzi Road (Aqua Project)</td> <td data-bbox="2017 993 2318 1439"> To permit: <ul style="list-style-type: none"> A maximum permitted height of 15 storeys and 50.0 m. </td> </tr> </table>	5.	Lot A, Section 1 & 12, Township 25, Plan EPP92691	3838 Capozzi Road (Aqua Project)	To permit: <ul style="list-style-type: none"> A maximum permitted height of 15 storeys and 50.0 m. 	To eliminate short-term rental accommodation as a permitted principal use.		
5.	Lot A, Section 1 & 12, Township 25, Plan EPP92691	3838 Capozzi Road (Aqua Project)	To permit: <ul style="list-style-type: none"> A maximum permitted height of 15 storeys and 50.0 m. short term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9 											
5.	Lot A, Section 1 & 12, Township 25, Plan EPP92691	3838 Capozzi Road (Aqua Project)	To permit: <ul style="list-style-type: none"> A maximum permitted height of 15 storeys and 50.0 m. 											
6.	Section 14 – Core Area & Other Zones, Section 14.15 Site Specific Regulations	<table border="1"> <tr> <td data-bbox="500 1443 553 1814">8.</td> <td data-bbox="553 1443 842 1554">Lot CP (Strata Unit 101-652) Plan KAS2503</td> <td data-bbox="842 1443 1100 1554">1088 Sunset Dr</td> <td data-bbox="1100 1443 1401 1814" rowspan="3"> <ul style="list-style-type: none"> To permit short-term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9. Except, the short-term rental </td> </tr> <tr> <td></td> <td data-bbox="553 1554 842 1665">Lot CP (Strata Unit 101-2003) Plan KAS2849</td> <td data-bbox="842 1554 1100 1665">1128 Sunset Dr</td> </tr> <tr> <td></td> <td data-bbox="553 1665 842 1814">Lot CP (Strata Unit PH1, PH2, PH3, PH4, & 101-2604) Plan KAS3589</td> <td data-bbox="842 1665 1100 1814">1075 Sunset Dr</td> </tr> </table>	8.	Lot CP (Strata Unit 101-652) Plan KAS2503	1088 Sunset Dr	<ul style="list-style-type: none"> To permit short-term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9. Except, the short-term rental 		Lot CP (Strata Unit 101-2003) Plan KAS2849	1128 Sunset Dr		Lot CP (Strata Unit PH1, PH2, PH3, PH4, & 101-2604) Plan KAS3589	1075 Sunset Dr	N/A	To eliminate short-term rental accommodation as a permitted principal use.
8.	Lot CP (Strata Unit 101-652) Plan KAS2503	1088 Sunset Dr	<ul style="list-style-type: none"> To permit short-term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9. Except, the short-term rental 											
	Lot CP (Strata Unit 101-2003) Plan KAS2849	1128 Sunset Dr												
	Lot CP (Strata Unit PH1, PH2, PH3, PH4, & 101-2604) Plan KAS3589	1075 Sunset Dr												

No.	Section	Current Wording					Proposed Wording	Reason for Change		
		Lot CP (Strata Unit 101-420) Plan KAS3589	1083 Sunset Dr		accommodation must maintain at least 6 months a year of long term residential use. For example, the 6 months long term residency could be owner occupied or monthly rentals.					
Lot CP (Strata Unit 101-418) Plan KAS3589)	1089 Sunset Dr		Lot CP (Strata Unit 101-415) Plan KAS3589	1093 Sunset Dr						
Lot CP (Strata Unit 121-441) Plan KAS3589	1099 Sunset Dr		Lot CP Plan KAS3589	1123, 1129, 1133, & 1139 Sunset Dr						
7.	Section 14 – Core Area & Other Zones, Section 14.15 Site Specific Regulations	9. Strata Plan of Lot 1, District Lot 134, ODYD, Plan KAP77419	648-654 Cook Rd					<ul style="list-style-type: none"> To permit short-term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9 	N/A	To eliminate short-term rental accommodation as a permitted principal use.
8.	Section 15 – Comprehensive Development Zones, Section 15.4 CD18 – McKinley Beach Resort, Section 15.4.3 CD18 Permitted Land Uses	Short Term Rental Accommodations	P	-				-	-	N/A

CITY OF KELOWNA
BYLAW NO. 12761
TA25-0001 – Updates to Short-Term Rental Regulations

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 that City of Kelowna Zoning Bylaw No. 12375 be amended as follows:

1. THAT **Section 5 – Definitions & Interpretations, 5.3 – General Definitions, SHORT-TERM RENTAL ACCOMMODATION** be amended by:
 - 1.1. Deleting "one or more sleeping units within" and replacing it with "a portion of".
 - 1.2. Deleting ", a carriage house, a group home, or within a secondary suite" and replacing it with "or a group home."
2. AND THAT **Section 5 – Definitions & Interpretations, 5.3 – General Definitions, DWELLING UNIT** be amended by deleting "This use" before "does not include a hotel or motel." and replacing it with "A dwelling unit may include short-term rental accommodation,".
3. AND THAT **Section 5 – Definitions & Interpretations, 5.3 – General Definitions, SECONDARY SUITE** be amended by deleting "Short-term rental accommodations, bed" and replacing it with "Bed".
4. AND THAT **Section 9 – Specific Use Regulations** be amended by deleting the "9.10 Short-Term Rental Accommodation" section in its entirety and replacing it with the following:

"9.10 Short-Term Rental Accommodation

 - 9.10.1 Short-term rental accommodation must be operated by a principal resident that resides at the dwelling unit for more than 240 days a year. If a secondary suite or carriage house is used for short-term rental accommodation, it must be operated by a principal resident that resides at a dwelling unit on the same lot as the secondary suite or carriage house for more than 240 days of a year. The principal residence does not apply to a property in respect of which an operator holds a fractional interest if the property may not be used as a principal residence by any person due to mandatory provisions in the applicable fractional ownership agreement.
 - 9.10.2 Short-term rental accommodation must have a valid licence issued under the City of Kelowna Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720.
 - 9.10.3 No more than one booking or reservation for short-term rental accommodation is permitted in each dwelling unit at one time.
 - 9.10.4 A maximum of three (3) sleepings units used for short-term rental accommodation is permitted per dwelling unit.

9.10.5 If a lot containing a single detached dwelling and a carriage house and/or a secondary suite is used for short-term rental accommodation, a maximum of two (2) dwelling units and five (5) sleeping units in total are permitted for short-term rental use.

9.10.6 No more than two adults may occupy a sleeping unit for short-term rental accommodation.

9.10.7 For properties within the Agricultural Land Reserve, short-term rental accommodation must be in accordance with the Agricultural Land Commission Act and its regulations.”.

5. AND THAT **Section 14 – Core Area & Other Zones**, Section 14.15 – Site Specific Regulations be amended by deleting “• short-term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9.” under the “Regulation” column in row “5.”.
6. AND THAT **Section 14 – Core Area & Other Zones**, Section 14.15 – Site Specific Regulations be amended by deleting row “8.” in its entirety.
7. AND THAT **Section 14 – Core Area & Other Zones**, Section 14.15 – Site Specific Regulations be amended by deleting row “9.” in its entirety.
8. AND FURTHER THAT **Section 15 – Comprehensive Development Zones**, 15.4 CD18 – McKinley Beach Resort, 15.4.3 – CD18 Permitted Land Uses be amended by deleting the “Short-Term Rental Accommodations” row in its entirety.
9. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Approved pursuant to section 52(3)(a) of the Transportation Act this

for Minister of Transportation & Transit

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



Text Amendment Application

Short Term Rental Regulations

TA25-0001

Purpose

To amend the Zoning Bylaw to align short-term rental regulations with Provincial short-term rental legislation.

Background

Jan 22, 2024 Short-term rentals eliminated as a secondary use.



May 1, 2024 Provincial legislation comes into effect, requiring principal residency and licencing.



Jan 20, 2025 Council reviews data on short-term rentals, tourism, and housing.



March 3, 2025 Initial Consideration of Bylaw Amendments to align short-term rental regulations with provincial standards.

Background

January 20, 2025:

THAT Council receives the report from the Development Planning Department, dated January 20, 2025, regarding Short-Term Rental accommodation;

AND THAT Council directs staff to bring forward draft bylaws to align local regulations with provincial standards.

Proposed Bylaw Amendments

- Allow short-term rental accommodation as a secondary use
 - Within a primary dwelling unit; and
 - Within a secondary suite or carriage house
- Must be operated by a principal resident

Proposed Bylaw Amendment

- Lots with a single detached dwelling and/or secondary suite or carriage house:
 - Maximum 3 bedrooms per dwelling unit AND maximum 5 bedrooms per lot
- Lots with multi-dwelling housing:
 - Each unit (ex: apartment, townhouse) could have 3 bedrooms used for short term rentals

Next Steps

- Zoning Bylaw amendments in place by April 2025
- Council consideration of amendments to Business Licence and Regulation Bylaw in March 2025

Staff Recommendation

- Staff recommend **support** for the proposed Text Amendment as it is consistent with:
 - Previous Council direction
 - Aligns local regulations with Provincial legislation

Report to Council



Date: March 3, 2025
To: Council
From: City Manager
Subject: HAF Transit Supportive Corridor Planning Pilot Project
Department: Long Range Planning & Housing Policy and Programs

Recommendation

THAT Council receives, for information, the report from the Long Range Planning Department and Housing Policy and Programs Department, dated March 3, 2025, regarding the Housing Accelerator Fund Transit Supportive Corridor Pilot Project;

AND THAT Council directs staff to proceed with Phase 2 of the project as outlined in the report from the Long Range Planning Department and Housing Policy and Programs Department dated March 3, 2025.

Purpose:

To receive information and provide direction on Phase 1 of the Transit Supportive Corridor Pilot Project and to advance Phase 2.

Council Priority Alignment:

- Transportation
- Climate & Environment
- Affordable Housing
- Economy

Background:

In 2023, the City of Kelowna received up to \$31.5M from the federal Housing Accelerator Fund (HAF). The purpose of the HAF is to encourage local governments to increase the supply of new housing to meet the needs of a growing population. The HAF requires the City of Kelowna to permit approximately 7,000 new housing units by October 2026.

Under one of the HAF Initiatives, the City is leading a pilot project to explore pre-zoning select Transit Supportive Corridors (TSCs) to allow for more housing as-of-right (see Attachment A). This action is also included as Action 2.6 in the recently endorsed [Housing Action Plan](#).

Accommodating more housing and services along TSCs—when combined with investment in transportation—can provide economic, environmental, and social benefits including:

- **Optimized infrastructure and transit spending.** Compact development reduces infrastructure costs, allowing more people to be served per dollar invested.

- **Amplified economic impact.** Transit-oriented development aligns with grants, attracts private investment, supports existing and new businesses, and improves access to jobs.
- **Reduced impact on natural areas.** Focusing growth along TSCs reduces pressure to develop on the edges of our city.
- **Reduced climate impacts.** Better access means less driving, which reduces carbon emissions.
- **Improved health outcomes.** Residents of compact neighbourhoods with non-car options are healthier and live longer than residents in car-dependent areas.

TSCs are not currently pre-zoned, meaning properties along TSCs must rezone on a case-by-case basis, adding time and uncertainty. As such, properties adjacent to TSCs may be less favourable for redevelopment compared to properties in other areas of the city where zoning is in place such as Urban Centres, Transit-Oriented Areas, and Core Area neighbourhoods.

As part of Phase 1 of this project, staff led Council on a tour of the Pilot Project TSCs on November 4th, 2024, which was followed by a presentation to Council. During the tour, Council provided considerations and feedback which staff have incorporated into this project and will continue to address going forward. Key considerations raised by Council during the tour and at the two Council meetings regarding TSCs are summarized under the following themes:

- *Pleasant and Inviting Corridors.* Prioritize creating pleasant and inviting environments along the TSCs, including efforts to improve the design of building facades, consideration of different uses at street level, and enhancing tree canopy coverage.
- *Building Type Variety.* Explore policies, regulations, design guidelines and other tools to promote variety in height and scale of new development along the TSCs.
- *Building Height Transition.* Explore policies, regulations, design guidelines and other tools provide clear guidance for the transition from buildings along TSCs to smaller buildings closer in adjacent neighbourhoods.
- *Assessment Impacts.* Work with BC Assessment to understand possible impacts to assessed values of properties in the pilot project area.
- *Better Transit Service.* Identify ways to improve transit service concurrently with new growth along TSCs to encourage more residents in the area to choose transit over driving.

Discussion:

This section outlines key regulatory and policy changes being considered for the Pilot Project TSCs with consideration for the feedback that Council provided on November 4th, 2024. Specifically, staff are working to develop a Land Use Concept, zoning changes, and revised design guidelines, as well as seeking to collaboratively prioritize transit service along the Pilot Project TSCs. This package of updates would be developed in further detail during Phase 2 of the project, and public engagement will also be conducted.

Land Use Concept. To guide the development of new zoning regulations, form and character design guidelines, future street design and investments in transit service, an overarching land use concept will be developed. This land use concept would demonstrate how all these elements will work together deliver the vision for these corridors.

In keeping with Council's feedback, staff are exploring various land use configurations to accommodate the level of density required to support effective public transit in TSC areas. While the Land Use Concept will continue to focus on a mix of six-storey apartment and mixed use buildings that transition to four-storey and eventually infill housing forms, Phase 2 of this project will integrate selected elements from

different land use approaches outlined below, considering property and block locations and configurations as well as Council feedback (see Attachment B).

- a) *Even Distribution Approach* whereby all Pilot Project TSCs are treated equally, with up to 6-storey developments permitted adjacent to the TSCs, followed by a four-storey transition to infill areas.
- b) *Transit Nodes Approach* which focuses more housing opportunities around transit nodes or key intersections where transit stops are or will be located in the future.
- c) *Priority Corridor Approach* which focuses on density along higher-order transit routes, such as Richter Street for example, while allowing more flexibility on other nearby TSCs.

This approach incorporates Council's feedback by making corridors more pleasant and inviting, diversifying building types, and ensuring smoother building height transitions.

New Zoning Regulations. New zoning regulations are being developed for properties on and adjacent to the selected TSCs. As part of this process, new regulations would be created specifically for the TSCs which would include regulated density, use, setbacks and height and other elements. It will also include zoning maps that specify, property by property, where this zoning would apply.

In keeping with Council's feedback, this zone would also provide regulations for how and where building scale would transition from buildings along TSCs to smaller buildings closer to lower-density areas as well as where such forms would be required and where flexibility would be supported. Considerations for neighbourhood commercial uses would not only bring more services to the area, but address Council's comments regarding building and façade variety and visual interest.

New Form and Character Design Guidelines. OCP form and character design guidelines are being updated to shape the form and character of developments in TSC areas. These updates will provide clearer guidance on building form, massing, landscaping, materials, and other design elements to ensure a cohesive and context-sensitive integration in the neighbourhood.

To address Council's feedback regarding variation in height and design as well as visual interest in street facing facades, staff are developing new OCP form and character guidelines to support diverse building designs along TSCs, promote variation between neighboring developments and create visually appealing streetscapes. Staff are also reviewing policies and regulations to identify ways that streetscapes can be enhanced along TSCs, such as enhanced landscaping and other design features.

Transit Service Improvements. Increasing transit service on TSCs aligns with service design guidelines, prioritizing investment in high-ridership routes. The annual Transit Improvement Program with BC Transit provides recommendations to Council, including potential investments along Transit Supportive Corridors. These recommendations consider land use changes and route performance, aiming to enhance service as corridors densify while maintaining productivity targets. Once the operations centre capacity constraints are addressed, staff anticipate recommending increased service on major routes, prioritizing the TSCs.

Furthermore, this pilot project is being conducted in conjunction with the Richter Corridor Study to ensure the necessary right-of-way is accommodated while minimizing development constraints, through the thoughtful application of land use concept approaches outlined in this report. This prioritization of service improvements on selected TSCs aims to address Council's feedback regarding aligning better transit with the TSC land use approach.

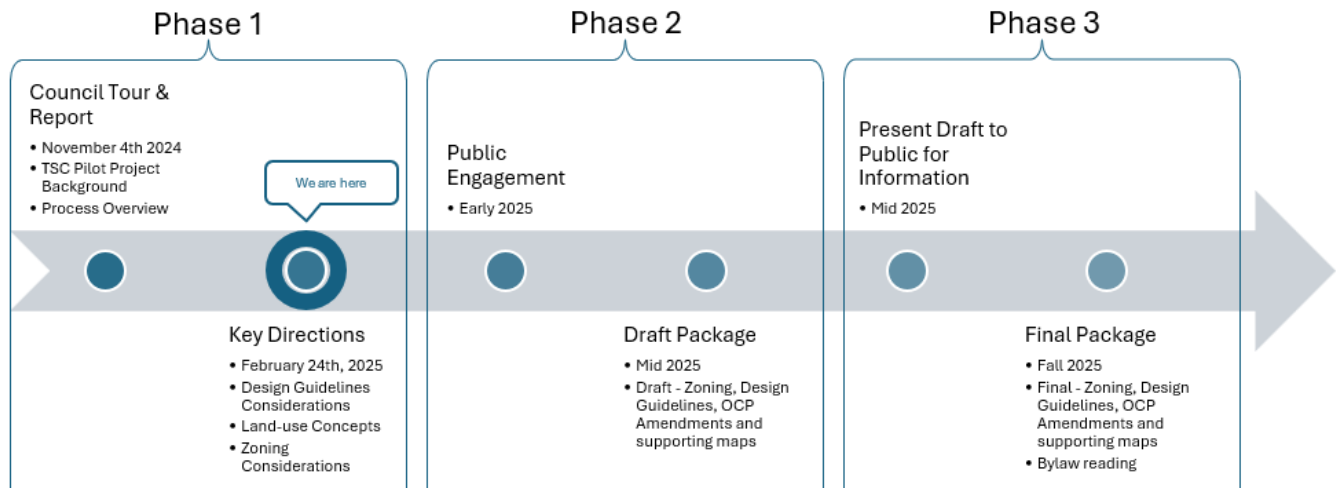
Next Steps

The Pilot project is expected to follow the process outlined in Figure 1, with staff currently in Phase 1.

Following receipt of this report, Phase 2 will begin with a public engagement process aimed at seeking input from community partners. Feedback will inform the development of a draft package of bylaw amendments, including the Land Use Concept, a TSC zone, design guidelines, and maps. This draft will be presented to Council in mid-2025.

Pending Council direction on the draft package, the Land Use Concept and the proposed amendments will be shared with residents and community partners. Further, Staff will then return to Council with a final package for endorsement and bylaw consideration later this year.

Figure 1 - TSC Planning Pilot Project Process



Conclusion:

In summary, options for pre-zoning select TSCs are being analyzed by staff. The goal is to pre-zone these areas in alignment with the City’s HAF commitments. This approach supports several key Council priorities, including Affordable Housing, Transportation, and the Economy, while also providing additional environmental and social benefits. By enabling higher density in areas with prioritized transit service, the City can better align land use with transit infrastructure and deliver on community housing needs.

Following Council feedback, staff will further examine these approaches in coordination with other on-going initiatives particularly the Richter Corridor Study, to ensure that promoting density makes transit more viable along these corridors.

Internal circulation:

- Integrated Transportation Department
- Development Engineering Department
- Development Planning Department
- Real Estate Services Department
- Parks Planning & Design Department

Considerations applicable to this report:

Existing Policy:

Orienting development along TSCs aligns with many City policies including but not limited to the *Imagine Kelowna Vision*, the *Official Community Plan Pillars*, and the *Transportation Master Plan Goals*.

Financial/Budgetary Considerations:

This project and all associated costs are to be funded by the Housing Accelerator Fund.

Considerations not applicable to this report:

Legal/Statutory Authority

Legal/Statutory Procedural Requirements

External Agency/Public Comments

Submitted by: Ahmed Mustafa, Planner Specialist, & Arlene Janousek, HAF Project Manager

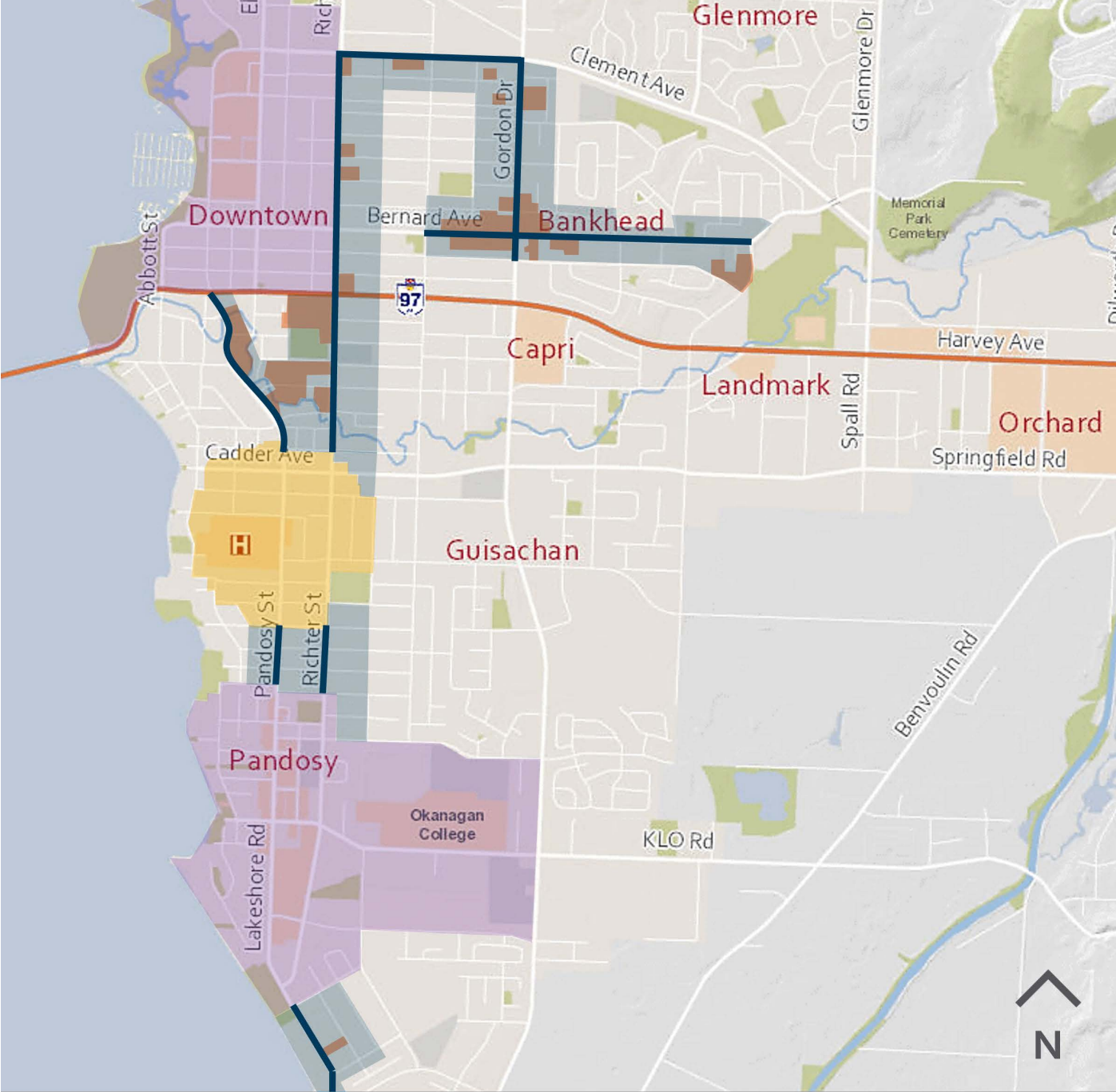
Approved for inclusion: Robert Miles, Long Range Planning Department Manager, Planning, Climate Action & Development Services

Attachments:

Attachment A – Transit Supportive Corridors Pilot Project Map

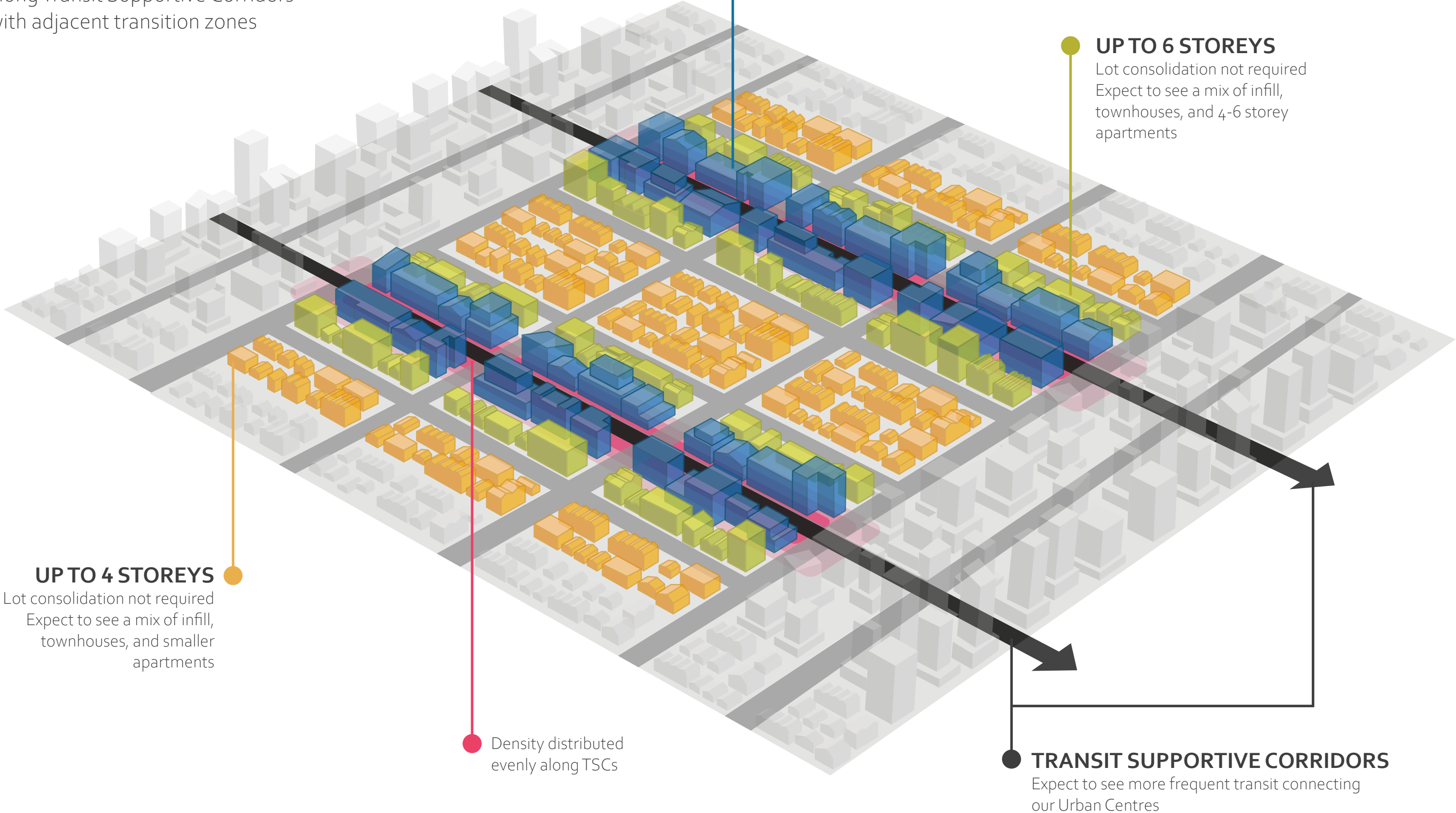
Attachment B – Land Use Concepts

**ATTACHMENT A:
Selected Transit
Supportive Corridors Map**



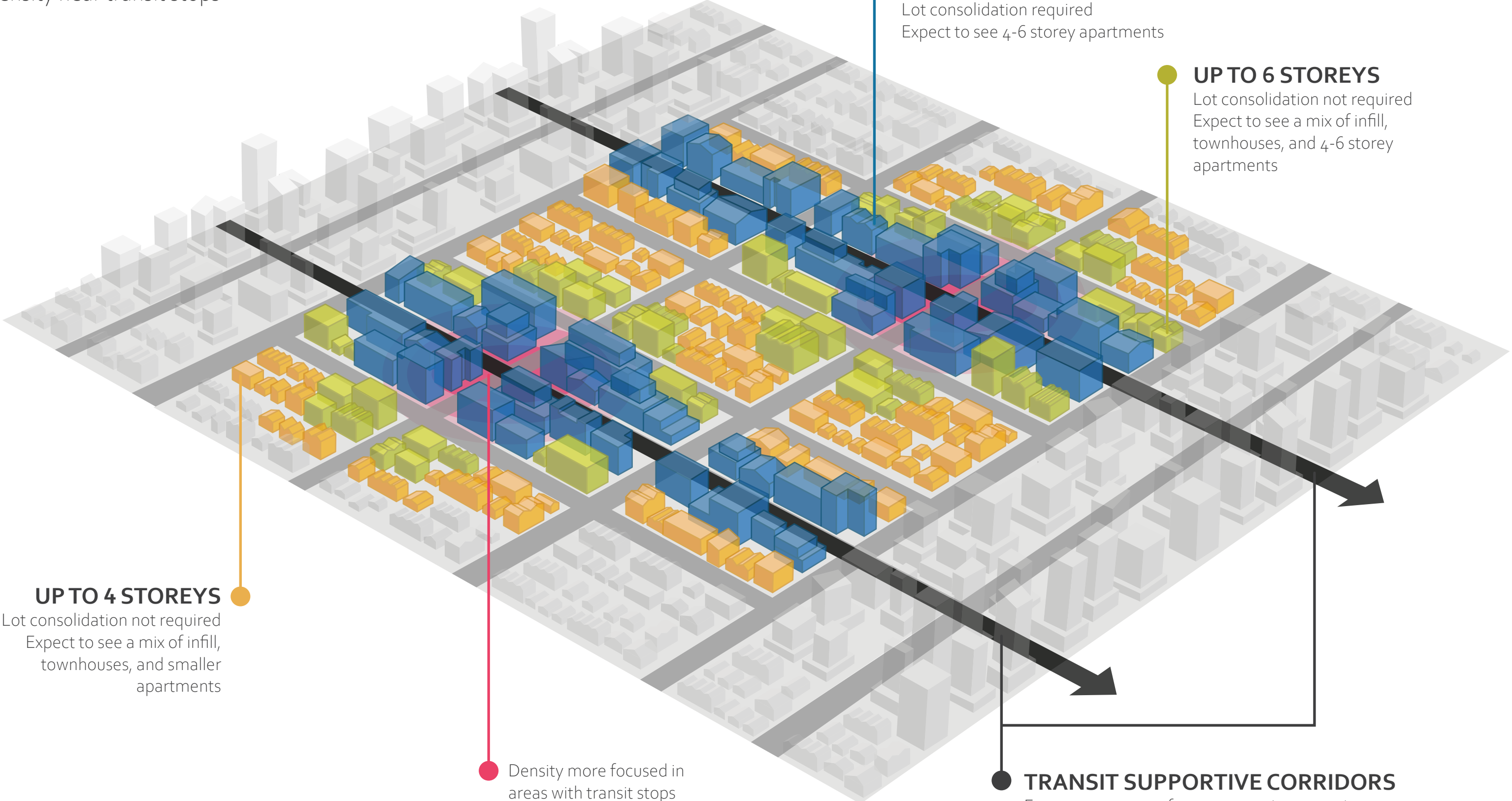
EVEN DISTRIBUTION

Up to 6 storeys distributed evenly along Transit Supportive Corridors with adjacent transition zones



TRANSIT NODES

Up to 6 storeys with a focus on achieving higher density near transit stops



UP TO 6 STOREYS
Lot consolidation required
Expect to see 4-6 storey apartments

UP TO 6 STOREYS
Lot consolidation not required
Expect to see a mix of infill, townhouses, and 4-6 storey apartments

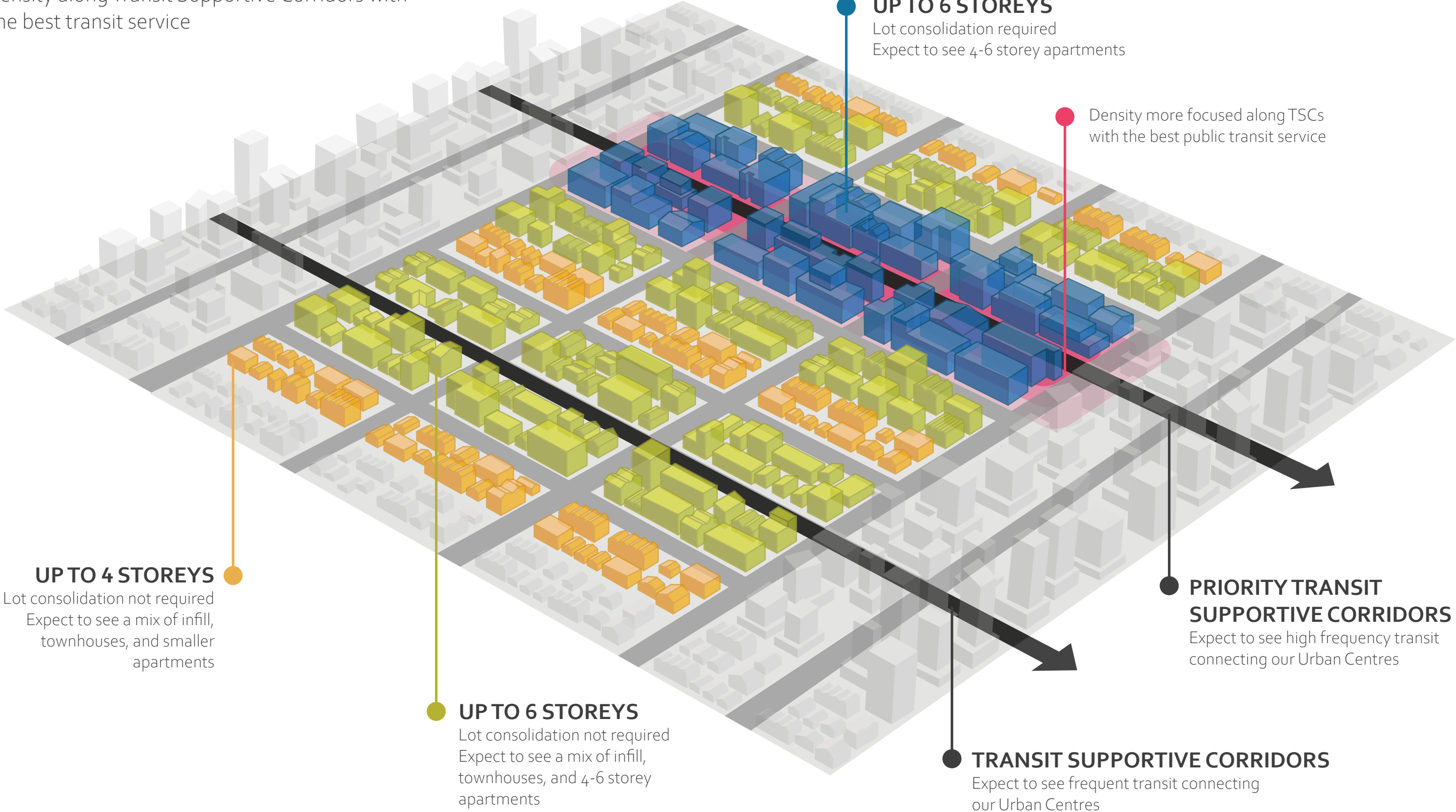
UP TO 4 STOREYS
Lot consolidation not required
Expect to see a mix of infill, townhouses, and smaller apartments

Density more focused in areas with transit stops

TRANSIT SUPPORTIVE CORRIDORS
Expect to see more frequent transit connecting our Urban Centres

PRIORITY CORRIDORS

Up to 6 storeys with a focus on achieving higher density along Transit Supportive Corridors with the best transit service



UP TO 6 STOREYS
Lot consolidation required
Expect to see 4-6 storey apartments

Density more focused along TSCs with the best public transit service

UP TO 4 STOREYS
Lot consolidation not required
Expect to see a mix of infill, townhouses, and smaller apartments

UP TO 6 STOREYS
Lot consolidation not required
Expect to see a mix of infill, townhouses, and 4-6 storey apartments

PRIORITY TRANSIT SUPPORTIVE CORRIDORS
Expect to see high frequency transit connecting our Urban Centres

TRANSIT SUPPORTIVE CORRIDORS
Expect to see frequent transit connecting our Urban Centres



Cawston

HAF Transit Supportive Corridor Pilot Project

Key Directions

March 3, 2025



Purpose

*The purpose of this report is to provide information to and seek feedback from Council regarding the **Phase 1** of the **Transit Supportive Corridor (TSC) Pilot Project** being undertaken as part of the Housing Accelerator Fund.*

And

To receive direction from Council to proceed with Phase 2 of this project as outlined in this report.

Housing Accelerator Fund (HAF)

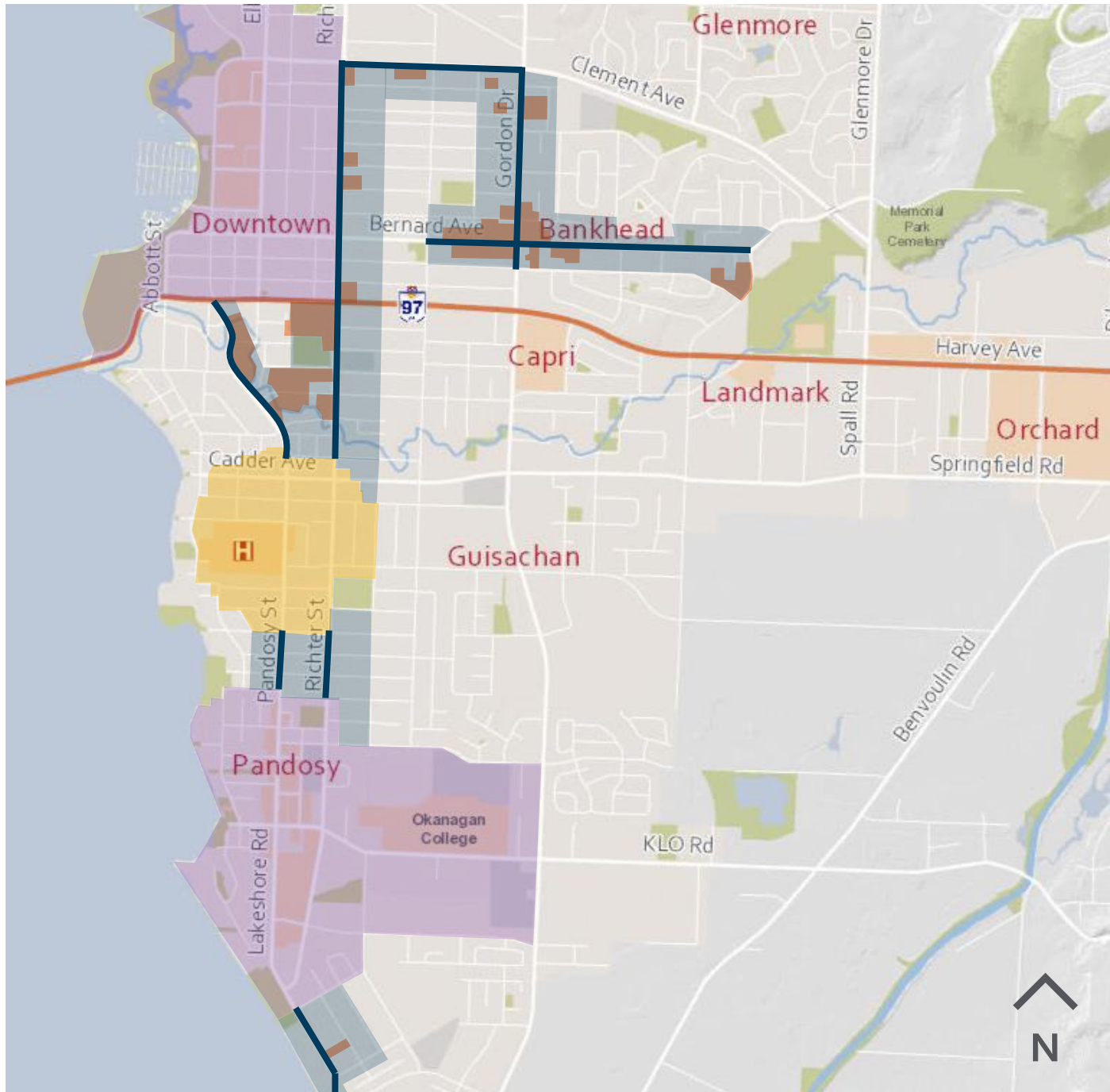
- ▶ \$31.5M to increase housing supply
- ▶ Support complete, low-carbon, and climate-resilient communities








HAF Initiative 3: TSC Planning

Through a coordinated analysis of land use and transportation options, explore pre-zoning select TSCs to increase density as-of-right.



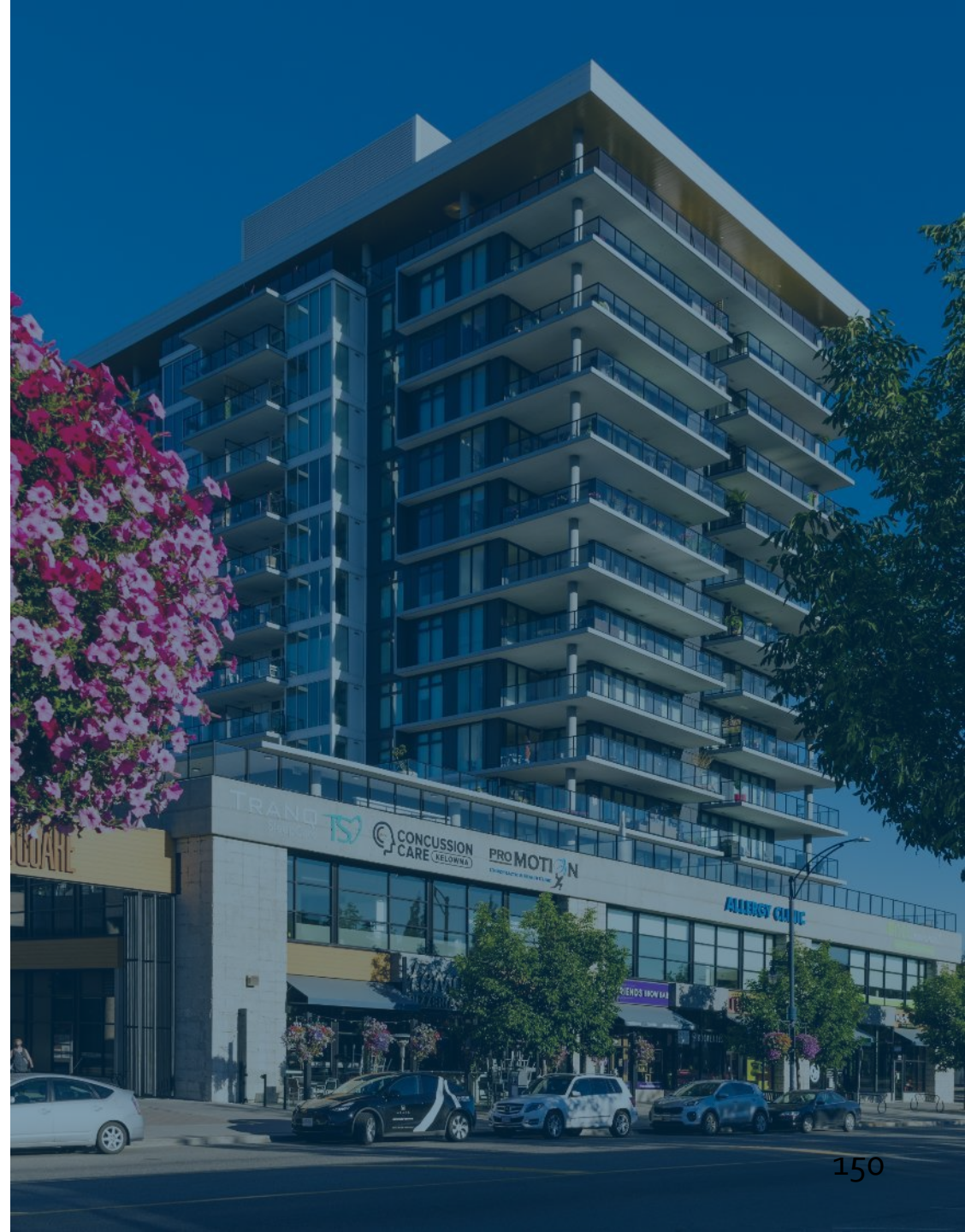


Pilot Project Corridors

-  Pilot Project TSCs
-  Pilot Project Subject Area
-  Urban Centre
-  Transit Oriented Area
-  Other Apartment Zoning (MF3, CD22, CA1, etc.)

Pilot Project Goals

1. Achieve residential density that supports our housing and transportation goals
2. Protect enough right of way for transportation needs
3. Support pleasant public spaces



TSCs can help address both housing and transportation needs.



Multi-dwelling housing is critical to addressing our housing needs



Transit is vital to addressing our transportation needs



Locating housing close to transit makes both better

Alignment with Council Priorities



Affordable Housing

- Help meet our housing targets
- Increase the supply of lower cost housing
- Provide more housing choice



Transportation

- Support population density needed for transit improvements
- Align with funding opportunities for transit infrastructure



Economy

- Support new businesses and employment opportunities
- Create neighbourhoods where residents can live, work, and play without relying on cars



Pleasant and
Inviting Corridors



Building Type
Variety



Building Height
Transition

Key Directions from Council



Assessment
Impacts



Better Transit
Service

EVEN DISTRIBUTION

Up to 6 storeys distributed evenly along Transit Supportive Corridors with adjacent transition zones



Land Use Concepts

TRANSIT NODES

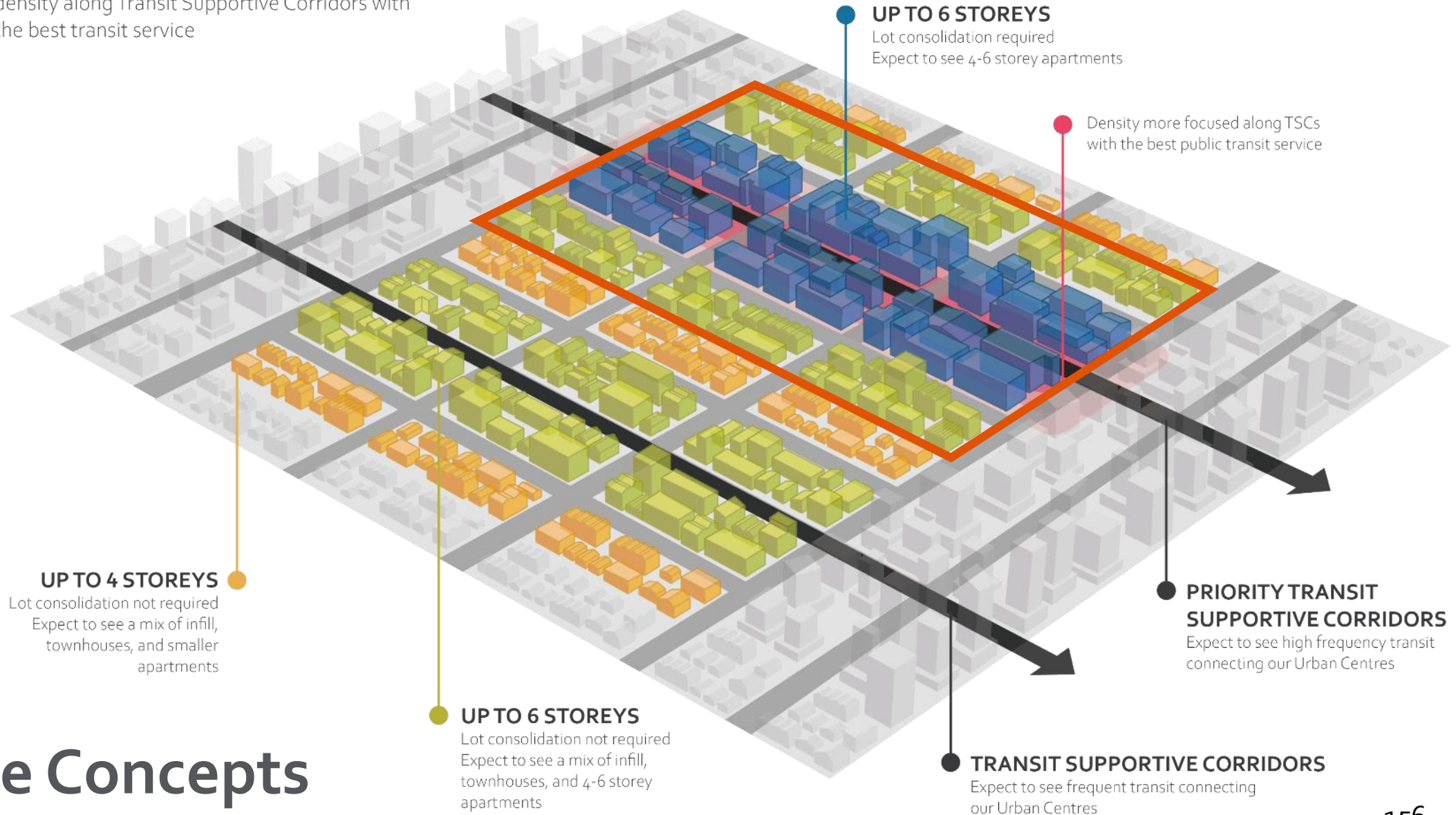
Up to 6 storeys with a focus on achieving higher density near transit stops



Land Use Concepts

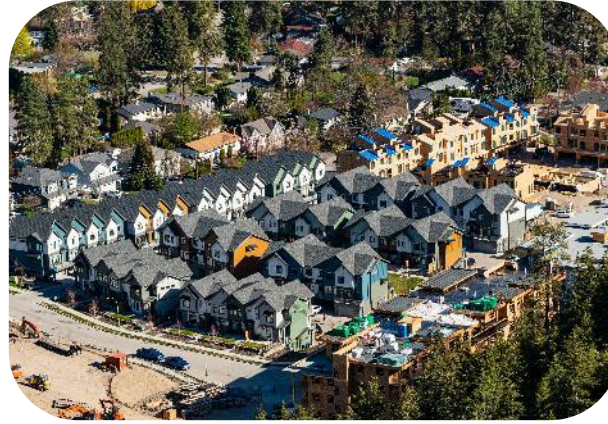
PRIORITY CORRIDORS

Up to 6 storeys with a focus on achieving higher density along Transit Supportive Corridors with the best transit service



Land Use Concepts

New Zoning Regulations



Density



Use



Setbacks



Height and transition

Form and Character Guidelines



Building form



Massing



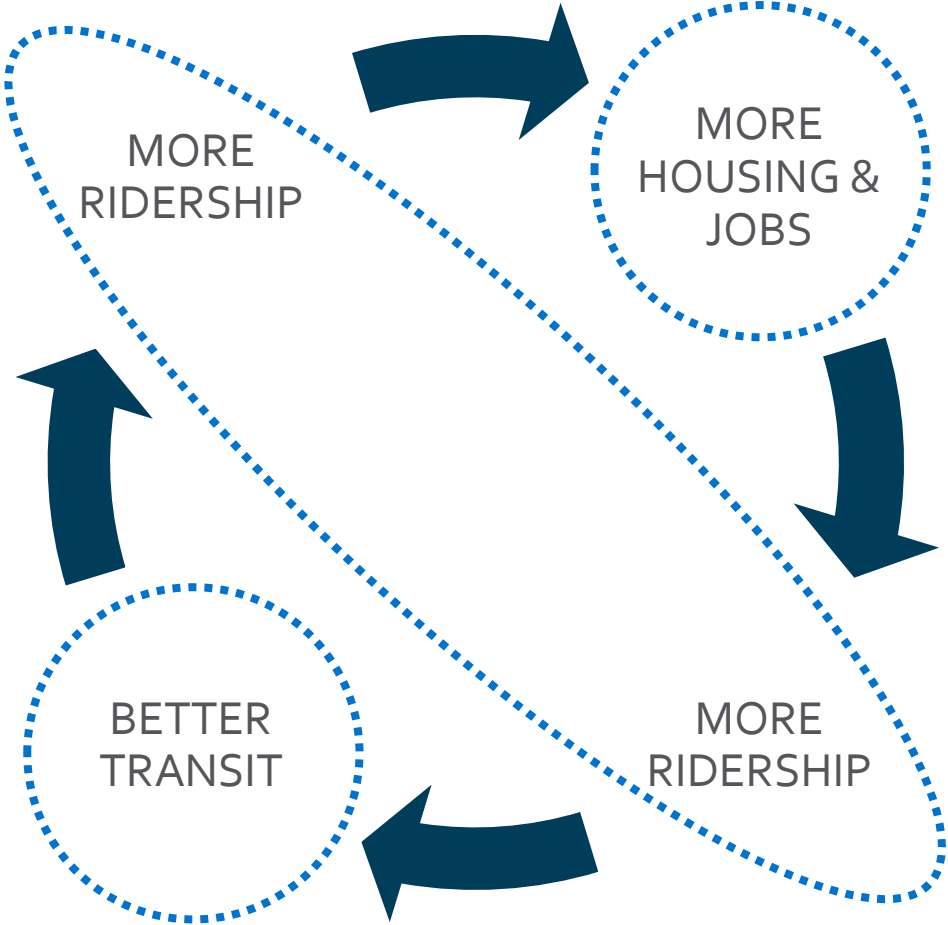
Landscaping



Materials

Transit Service Improvements

The Housing
&
Transit
Feedback Loop



Transit Service Improvements

- ▶ Aligns with service design guidelines, prioritizing investment in high-ridership routes.
- ▶ Annual Transit Improvement Program with BC Transit



Transit Service Improvements

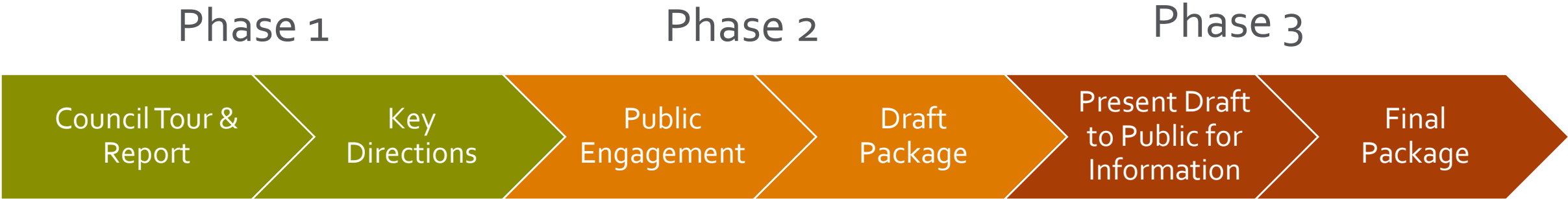
- ▶ Targeted transit improvements along key Transit Supportive Corridors
- ▶ Richter Corridor Study
 - ▶ Incremental steps to improve transit

Introduce service

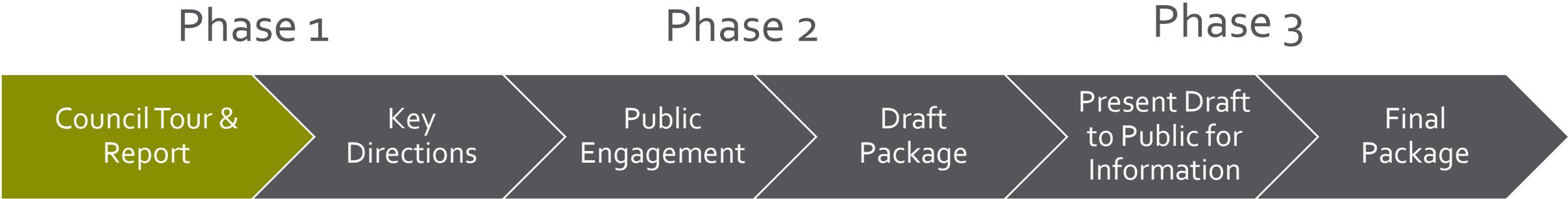
Bus only lanes

Higher order transit

TSC Pilot Project Process



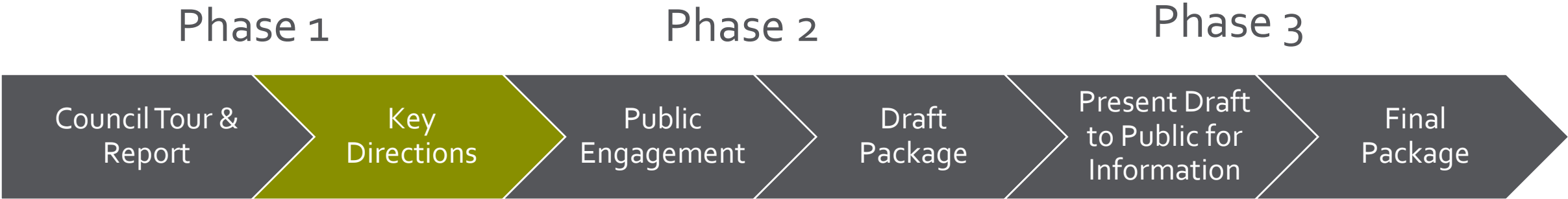
TSC Pilot Project Process



Council Tour & Report

November 4th, 2024
TSC Pilot Project Background
Process Overview

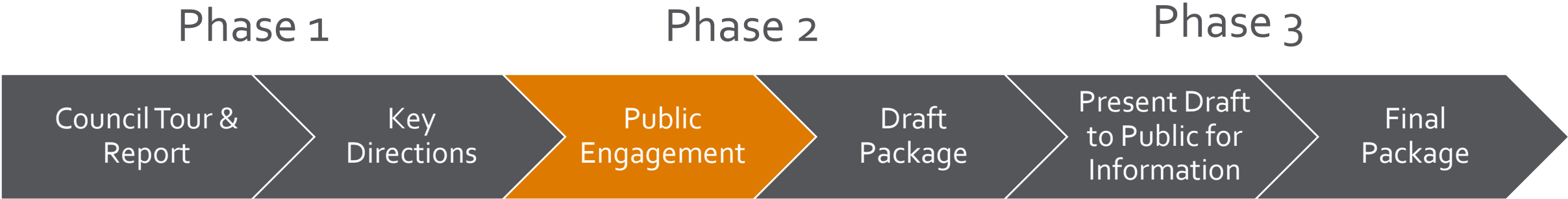
TSC Pilot Project Process



Key Directions

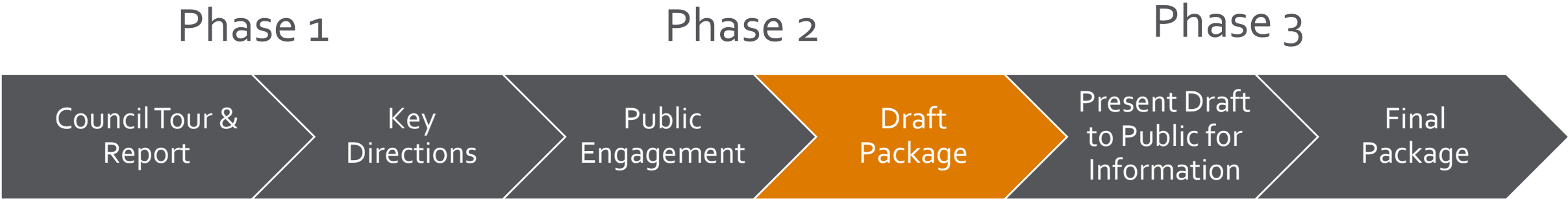
- February 24th, 2025
- Design Guidelines Considerations
- Land-use Concepts
- Zoning Considerations

TSC Pilot Project Process



Public Engagement
Early 2025

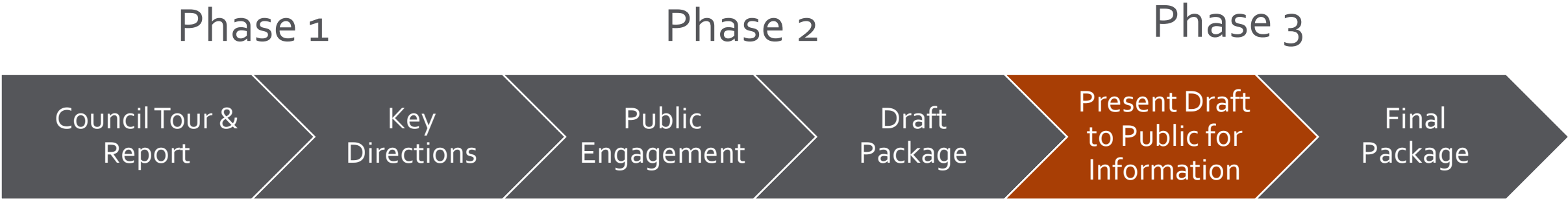
TSC Pilot Project Process



Draft Package

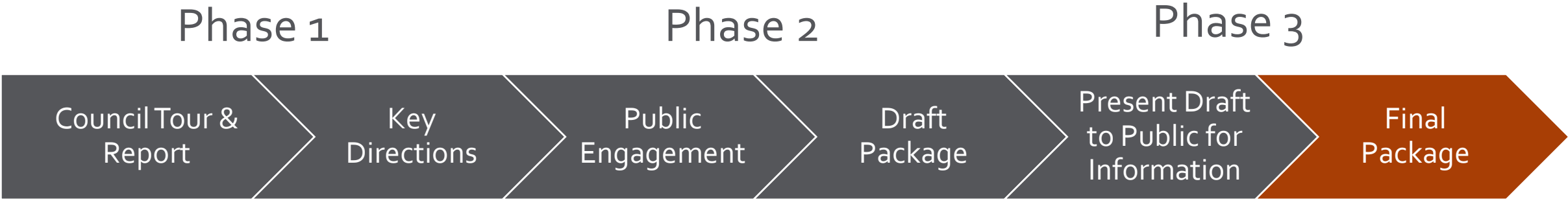
Mid 2025
Draft - Zoning, Design Guidelines, OCP
Amendments and supporting maps

TSC Pilot Project Process



Present Draft to Public for Information
Mid 2025

TSC Pilot Project Process



Final Package

- Fall 2025
- Final - Zoning, Design Guidelines, OCP
- Amendments and supporting maps
- Bylaw reading



City of
Kelowna



Cawston

HAF Transit Supportive Corridor Pilot Project

Key Directions
March 3, 2025

Report to Council



Date: March 3, 2025
To: Council
From: City Manager
Subject: Tenant Protection – Next Steps
Department: Housing Policy & Programs

Recommendation:

THAT Council receives, for information, the report from the Housing Policy and Programs Department dated March 3, 2025 with respect to tenant protection;

AND THAT Council directs staff to prepare the necessary bylaw amendments to implement the approach to tenant protection outlined in the report from the Housing Policy and Programs Department dated March 3, 2025.

Purpose:

To advance tenant protection measures and direct staff to prepare bylaw amendments.

Council Priority Alignment:

Affordable Housing
Homelessness

Background:

As one of the fastest growing cities in Canada, Kelowna is rapidly evolving. The City of Kelowna’s Official Community Plan outlines key pillars that guide the City’s growth, which includes accommodating growth in existing, developed neighbourhoods. An inevitable result of growth within existing neighbourhoods is the incremental redevelopment of older rental housing stock. While redevelopment results in greater densities and increased numbers of rental units becoming available, redevelopment can lead to displacement of residents and relocation can be challenging for those who need to find new, affordable housing. In some cases, this can lead to increased housing precarity or homelessness.

Housing Statutes Amendment Act, 2024 (“Bill 16”)

New Provincial legislation was enacted on April 25, 2024. This legislation introduced new authority for local governments in relation to tenant protections, including the authority to require:

- Notices or information with respect to a redevelopment;
- Financial compensation for the termination of tenancy agreements;
- Financial or other assistance to find and relocate tenants to comparable replacement units; and

- The opportunity to exercise rights to enter new agreements for the rental of comparable units in other properties in which owners have an interest.

Council Direction

In March 2024, in response to concerns about development applications being considered by Council, staff were directed to report back on policy options for tenant relocation. Since 2022, only four redevelopment applications for existing rental buildings have been received by the City impacting a total of 66 rental units.

On October 21, 2024, staff brought forward three tenant protection policy options for Council to consider:

- Status Quo: Only *Residential Tenancy Act (RTA)* requirements apply.
- Moderate Shift (staff recommended option): Requirement for developer to submit a Tenant Relocation Plan and provide a proposal to minimize the impact of tenant relocation.
- Major Shift: Developer submits a standardized Tenant Relocation Plan, including mandatory requirements such as extended tenant notification, tenant relocation coordinator services, financial compensation, and a right of first refusal.

Council directed staff to further explore the Moderate shift option.

Previous Council Resolution

Resolution	Date
<p>THAT Council receives for information the report from the Housing Policy and Programs and Social Development departments, dated October 21, 2024, regarding Tenant Protection and Relocation Assistance;</p> <p>AND THAT Council directs Staff to further explore and report back on Option 2, Moderate Shift, as an action in the Housing Action Plan as described in the report from the Housing Policy and Programs and Social Development departments, dated October 21, 2024.</p>	<p>October 21, 2024</p>

Discussion:

Outlined below, staff have provided an approach that is consistent with Option 2, Moderate Shift as per the Council resolution. The proposed approach aligns with Official Community Plan (OCP) Policy which provides direction to protect citizens from displacement due to redevelopment by creating a policy to ensure tenants receive fair relocation assistance from the developer. Development of a Tenant Assistance Policy is an implementation action identified in the OCP. In addition, a high-impact action identified as part of the recently adopted Housing Action Plan (HAP) is to support tenants who are being evicted due to redevelopment, by implementing a bylaw and guidelines to support tenants without unreasonably limiting development. The proposed requirements would be evaluated concurrently with an associated Form & Character Development Permit application to streamline the process.

Approach

Applicability

The proposed tenant protection measures would apply to properties which:

- Contain five or more rental dwelling units; and
- Are being redeveloped, resulting in the tenancy agreements of rental-dwelling units being terminated.

Tenant Protection Plan

An applicant would be required to submit a Tenant Protection Plan as part of a development application. Redevelopment would be required to proceed in accordance with the Tenant Protection Plan which would require a developer to outline:

- Information on how the applicant's obligations under the *Residential Tenancy Act* are being met;
- Any voluntary, additional proposals by the applicant respecting protection and relocation of tenants during redevelopment.

Staff would provide examples of practices to serve as a guide for each applicant when creating a Tenant Protection Plan. This would include a list of measures that an applicant could consider when preparing their Plan.

Implementation

In order to implement the tenant protection measures, the following bylaw amendments are necessary:

- Official Community Plan Bylaw No. 12300 Amendment - to create a Tenant Protection Development Permit Area to require applicants to submit a Tenant Protection Plan and ensure that developments proceed in accordance with those plans and to update OCP policies to reflect the new tenant protection measures.
- Development Application Procedures Bylaw No. 12310 Amendment - to add application procedures and processing requirements for Tenant Protection Development Permits.

Engagement

The City engaged with the following organizations to solicit feedback regarding tenant protection measures, including additional measures (ex: financial compensation, financial assistance for moving expenses) discussed at the October 21, 2024 Council meeting:

- Canadian Home Builder's Association (CHBA) – development industry;
- Urban Development Institute (UDI) – development industry;
- Canadian Mental Health Association (CMHA) – non-profit housing provider & administrator of the Central Okanagan Rent Bank;

CMHA Kelowna (Attachment A) was generally supportive of increased tenant protections, but raised concerns about additional financial support for tenants, displacement, and the long-term challenge of securing affordable housing.

Both UDI (Attachment B) and CHBA (Attachment C) raised concerns about the impacts of proposed regulations on the development of new housing supply, including an increased administrative burden, discouragement of investment, and impacts on affordability. These organizations suggested that Council not introduce any measures beyond the *Residential Tenancy Act*.

The Tenant Resource & Advisory Centre (TRAC), a non-profit legal education, representation, and advocacy organization on residential tenancy matters was also contacted, but did not provide comments.

Conclusion:

The proposed approach will require applicants to submit a Tenant Protection Plan prior to redevelopment of a property containing rental dwelling units. Enacting tenant protection measures aligns with the OCP Policy and the Housing Action Plan. If Council endorses the proposed approach, staff will return with the necessary bylaw amendments.

Internal Circulation:

Communications
 Development Planning
 Long Range Planning
 Office of the City Clerk
 Real Estate
 Social Development

Considerations applicable to this report:**Legal/Statutory Authority:**

Community Charter, s.63.2 Protection of tenants on redevelopments and s.63.3 Limits on tenant protection bylaws

Local Government Act, s.491 Development permits: specific authorities

Residential Tenancy Act, Part 4 – How to End a Tenancy

Existing Policy:1.1 Official Community Plan (OCP)

Objective 4.13 Protect citizens from displacement due to Urban Centre development.	
Policy 4.13.2 Displacement Effects of Gentrification	Ensure Urban Centre planning initiatives and significant redevelopment opportunities include affordable housing and access to services to ensure low to moderate income renters are protected from displacement effects of gentrification.
Policy 4.13.3 Tenant Assistance	Work towards the creation of a Council policy to protect tenants displaced by redevelopment through fair relocation assistance from the developer. Such relocation assistance should ensure that tenants retain their access to services and amenities, such as employment, transportation and schools.
Objective 5.12 Protect citizens from displacement due to Core Area development	
Policy 5.12.2 Displacement Impacts of Gentrification	Ensure Core Area planning initiatives include affordable housing and access to services to ensure low to moderate income renters are protected from displacement effects of gentrification.
Policy 5.12.3 Tenant Assistance	Work towards the creation of a Council policy to protect tenants displaced by redevelopment through fair relocation assistance from the developer. Such relocation assistance should ensure that tenants retain their access to services and amenities, such as employment, transportation and schools.
Objective 6.10 Prioritize the construction of purpose-built rental housing.	
Policy 6.10.4 Tenant Assistance	Ensure that tenants displaced by redevelopment are protected through relocation assistance from the developer.
Objective 9.1 Incorporate equity into planning decisions and resource allocation in our community.	
Policy 9.1.1 Equity in Planning Decisions	Incorporate an equity lens into land-use planning decisions and resource allocation in our community.
Table 16.1: Implementation Actions	
Action #42	Develop a Tenant Assistance Policy.

1.2 Housing Action Plan

High Impact Action: Action 1.7 – Support tenants who are being evicted due to redevelopment

As Kelowna continues to grow, existing rental buildings may be redeveloped. Redevelopment processes can break-up existing tenant communities and force tenants into an unaffordable rental market, increasing housing insecurity and precarity.

The *Residential Tenancy Act* provides supports and protects the right of both landlords and tenants. Bill 16, passed in April 2024, gives municipalities new authority to establish stronger tenant protections. Kelowna will introduce measures requiring developers to create tenant relocation plans when redevelopment removes 5 or more rental units. A bylaw and guidelines will be implemented to protect and support tenants without unreasonably limiting redevelopment projects that help achieve the community's housing objectives.

Consultation and Engagement:

Staff contacted the following organizations to solicit feedback regarding the proposed changes:

- CMHA Okanagan: See Attachment A
- Urban Development Institute (UDI): See Attachment B
- Canadian Homes Builders Association (CHBA): See Attachment C
- Tenant Resource & Advisory Centre – did not provide comments

Communications Comments:

Bylaw amendments to implement the tenant protection measures will require a Public Hearing. Once adopted, the City's webpage will be updated to provide information on the new requirements.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

Submitted by: M. Tanner, Planner Specialist

Approved for inclusion: James Moore, Housing Policy and Programs Manager
Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Attachment A: Letter from CMHA

Attachment B: Letter from UDI

Attachment C: Letter from CHBA



**Canadian Mental
Health Association**
Kelowna

Date: January 31, 2025

City of Kelowna
Council and Mayor
1435 Water Street
Kelowna, BC V1Y 1J4

Dear Mayor and Council,

Re: Proposed Tenant Protection Regulation - Eviction Due to Re-Development

On behalf of the Canadian Mental Health Association-Kelowna and District (CMHA Kelowna), we would like to express our thoughts on the City of Kelowna's proposed tenant protection regulation. While we commend the City's efforts to provide a financial buffer to tenants facing displacement, we believe that the proposed measures do not fully address the complex challenges that renters experience in these situations. The rising cost of housing in Kelowna has already placed significant strain on low- and moderate-income individuals and families.

In relation to the issue at hand, CMHA Kelowna operates a scattered-site housing program, whereby the agency holds leases on rental properties in the community, enters into a program agreement with program participants, and upon successful completion of the program, the lease converts into the name of the participant, and they are able to live in their rental for as long as they choose. This program has run successfully for a number of years, and we have had a number of successes where people have left experiencing being unhoused, and with the proper support, have made the connections and built the skills to become excellent tenants.

In 2024, our program was required to relocate 20 residents in 3 separate scenarios. Two were the result of re-development, while one was the result of renoviction, which I recognize is out of scope for the proposed regulation. The one that has the most impact and direct link to this policy is the re-development of 768 Badke Rd., a building we held units in for years. Some tangible examples from this building in terms of existing rents to new rents that tenants, upon finding housing, had to pay, demonstrate where the compensation amounts in the proposed regulation amounts may not be sufficient for

some renters leaving these buildings. The following data, demonstrate the impact for some tenants:

- We saw tenants experiencing rent increases of 100%, going from \$750 per month up to \$1,500 in a new location.
- In other cases, rents increased by 50%.
- In addition, when we review the proposed regulation, one-time moving costs of \$750.00 are included. In our direct experience over the past year, moving expenses across the board cost approximately \$1,000 per unit.

For individuals on income assistance residing in these lower rent units, such a significant rent increase places them at increased vulnerability for future experiences of homelessness. Without additional support from the provincial government in the form of rent supplements or if they are lucky to find affordable housing in the community, the individuals referenced would not have been in a place to rent and may have found themselves in shelter.

Based on our experiences over the last year, CMHA Kelowna is advocating for an increase in the proposed financial compensation for tenants from 3 to 4 months. In addition, financial assistance for moving expenses be raised to \$1,000, more in line with what we have actually experienced in our day-to-day work.

Long-Term Housing Stability:

The financial assistance provided by the City does not address the long-term challenge of securing affordable housing. For many tenants, eviction due to redevelopment may lead to homelessness or displacement in more precarious living conditions, such as temporary or substandard housing. Ironically, this could lead them to the very place they started at.

CMHA Kelowna advocates an emphasis on creating more affordable and supportive housing options for all residents, particularly for those with mental health and/or addiction challenges, who often experience barriers in accessing stable housing. We are excited to see the roll out of the City's Housing Action Plan and know that a significant number of rentals will be coming online in the next two years and the consequent impact on vacancy rates and potential downward pressure on rents.

We very much appreciate the City's recognition of the challenges that tenants face when displaced due to redevelopment. We urge you to consider the additional measures

outlined above to ensure that the proposed regulation not only helps tenants in the short term but also provides the support they need to secure stable housing and maintain their mental health and well-being in the long term.

Thank you for your attention to this critical matter. CMHA Kelowna looks forward to continuing to work with the City to ensure a just and equitable housing environment for all residents of Kelowna

Sincerely,



Mike Gawliuk
CEO
Canadian Mental Health Association (CMHA) Kelowna

January 16, 2025

To: City Kelowna
1435 Water Street
Kelowna, BC, V1Y 1J4

Attention: Mayor and Council
RE: Proposed Tenant Protection Policy

Dear Mayor Dyas and Council Members,

We are writing in response to City Council's initiative regarding the Tenant Protection Regulations. The Urban Development Institute (UDI) strongly recommends that the City of Kelowna align its policies with the existing Provincial regulations established under the Residential Tenancy Act (RTA).

The RTA provides comprehensive protections for tenants, including regulations for rent increases, eviction procedures, and lease agreements. These existing measures ensure tenants are safeguarded without imposing additional layers of complexity.

Kelowna's rental market is already moving toward stabilization. As of December 2024, the vacancy rate has increased significantly to 3.8%, up from 1.3% in 2023. This trend signals a shift towards a healthier, more balanced market. Notably, over 1,000 new rental units are currently under construction, and many are expected to be completed within the next 12 to 24 months. This substantial influx of housing will likely further improve vacancy rates, potentially exceeding 4.8% under moderate demand scenarios.

The introduction of additional municipal regulations at this time would not only be redundant but could also create unintended consequences, including:

- **Increased Administrative Burden:** Adding complexity for both developers and property owners, leading to delays and higher costs.
- **Discouragement of Investment:** Unnecessary regulations may deter new rental housing projects, delaying much-needed housing supply.
- **Impact on Affordability:** Higher development costs could translate to increased rents, counteracting efforts to improve affordability.

Given these conditions, the market does not warrant further tenant protections beyond what is already provided by the RTA. Instead, the City should focus on encouraging investment in rental housing to sustain the positive trajectory of Kelowna's rental market.

We strongly urge Council to reconsider the necessity of introducing additional municipal rental protection measures. By doing so, the City can ensure policies that support both tenants and the development community while fostering a balanced, sustainable rental housing market.

Thank you for your attention to this important matter. We welcome the opportunity to discuss this further and collaborate towards solutions that benefit all stakeholders in Kelowna's housing ecosystem.

Sincerely,



Charlene Thomas
Executive Director
Direct: ((250) 212 4488

CC: Ryan Smith, Nola Kilmartin, James Moore, Dave Sargent

February 4th, 2025

To: City of Kelowna
1435 Water Street
Kelowna, BC, V1Y 1J4



Attention: Mayor and Council

Subject: Need for Alignment with the Residential Tenancy Act in Tenant Protection Policies

Dear Mayor Dyas and Council Members,

As the voice of the home building industry in the Central Okanagan, the Canadian Home Builders' Association (CHBA) Central Okanagan advocates for consistent and effective policies that promote housing development and affordability.

We commend the City of Kelowna for its proactive approach to tenant protection. However, we believe that aligning municipal policies with the existing Provincial regulations under the Residential Tenancy Act (RTA) is the most effective course of action. The RTA already provides comprehensive protections for tenants, including regulations for rent increases, eviction procedures, and lease agreements. Introducing additional municipal regulations could lead to unintended consequences, such as increased administrative burdens, discouragement of investment, and potential impacts on affordability.

Kelowna's rental market is moving toward stabilization, with the vacancy rate increasing to 3.8% in 2024, up from 1.3% in 2023. This improvement is a direct result of the substantial number of rental units currently under construction.

The solution to having stable and affordable rental units is to have more options for renters. The only way to have more options is to build more units. The key to building more rental units is to remove any regulatory burdens that could slow down or prohibit the construction of new units. In short, don't make it more difficult to build at a time where we need to make it easier.

The introduction of additional municipal regulations at this time would not only be redundant but could also create unintended consequences, including increased administrative burden, discouragement of investment, and potential impacts on affordability.

Given these conditions, the market does not warrant further tenant protections beyond what is already provided by the RTA. Instead, the City should focus on encouraging investment in rental housing to sustain the positive trajectory of Kelowna's rental market.

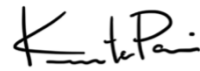
We strongly urge Council to reconsider the necessity of introducing additional municipal rental protection measures. By doing so, the City can ensure policies that support both tenants and the development community while fostering a balanced, sustainable rental housing market.

Thank you for your attention to this important matter. We welcome the opportunity to discuss this further and collaborate toward solutions that benefit all stakeholders in Kelowna's housing ecosystem.

Sincerely,



Cassidy deVeer
Interim Executive Officer
CHBA-CO
cassidy@chbaco.com



Krista Paine
President
CHBA-CO
krista@ianpaineconstruction.ca

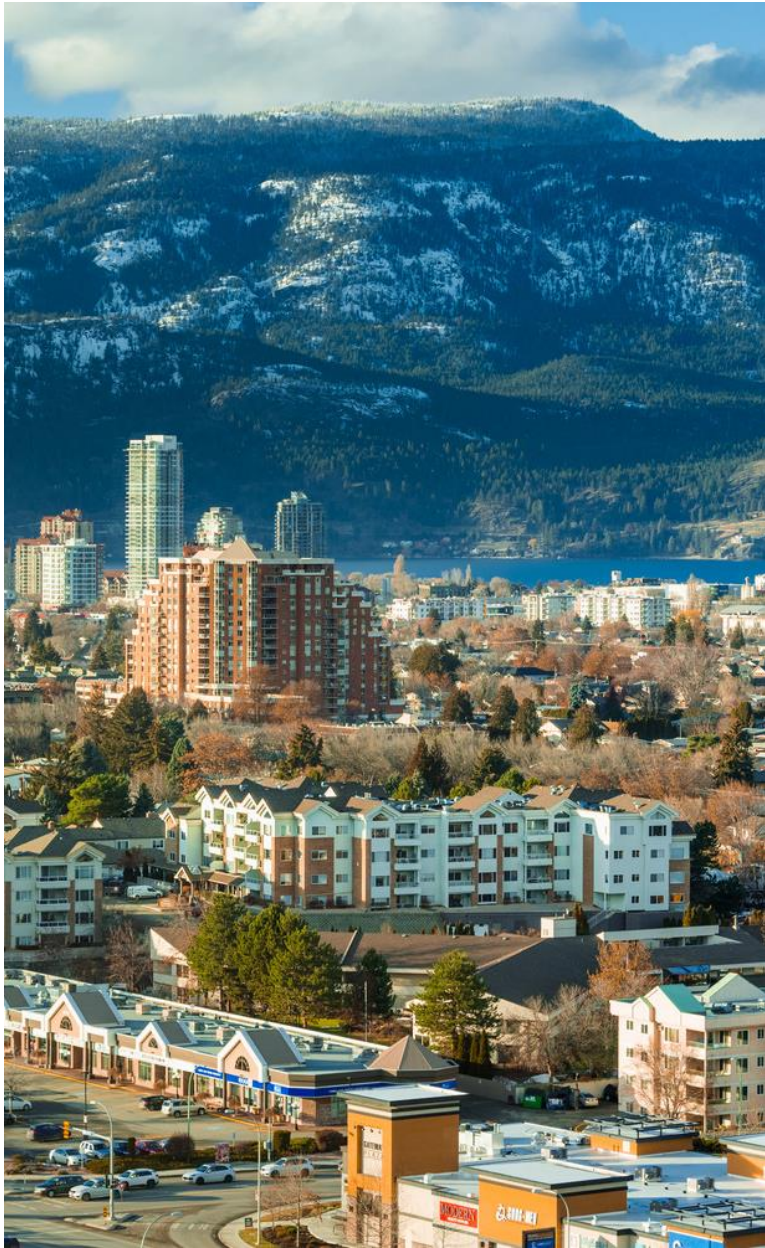




Tenant Protection – Next Steps

Housing Policy & Programs

March 2025



Purpose

To advance tenant protection measures and direct staff to prepare bylaw amendments.

Background

- Official Community Plan
 - Key pillar: Accommodate growth in existing developed neighbourhoods
- Growth results in incremental redevelopment of older rental housing stock
- Relocation can be difficult due to housing affordability

Provincial Legislation

Residential Tenancy Act

- Four months of notice
- Compensation: 1 month's rent

April 2024 – New Authority for Local Governments:

- Additional notification
- Financial compensation
- Relocation assistance
- Right of first refusal

Background

- Since 2022, Kelowna has had:
 - 4 redevelopment applications for existing rental buildings
 - 66 rental units impacted
- In May 2024, Council:
 - deferred consideration of a Rezoning Bylaw due to concerns over tenant displacement
 - directed staff to report back on policy options

Background

- October 2024 – Staff report back on three policy options
 - Council directed staff to explore a moderate shift:
 - Developer submits a Tenant Protection Plan with a proposal to minimize the impacts to tenants

Applicability



Contain 5 or more rental dwellings units



Are being redeveloped, which results in tenancy agreements being terminated

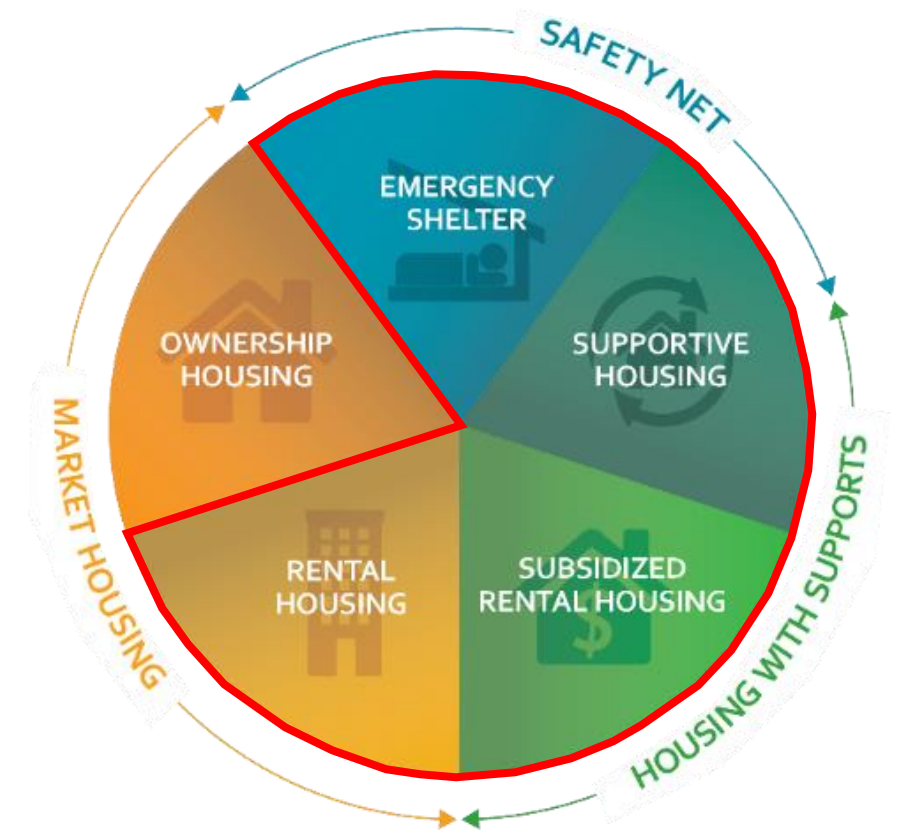
Tenant Protection Plan

- Concurrent with other development applications
- Required to outline:
 - *Residential Tenancy Act* obligations; and
 - Any additional proposals to protect tenants.
- Applicants provided with best practices and potential measures

Housing Action Plan

Action 1.7 – Support tenants who are being evicted due to redevelopment.

- Require developers to create tenant relocation plans
- Implement a bylaw and guidelines to protect tenants without unreasonably impacting development



OCP Objectives and Policies

Urban Centres – Protect renters from displacement and create and require developers to provide fair relocation assistance

Core Areas - Protect renters from displacement and create and require developers to provide fair relocation assistance

Gateway – Require developers to provide fair relocation assistance

Equitable Community – Incorporate an equity lens into land use planning decisions

Implementation

OCP Amendment – Tenant Protection Development Permit

Development Application Procedures Bylaw Amendment

Conclusion

Staff recommend **support** for the proposed tenant protection measures:

- Consistent with Council resolution
- Housing Action Plan
- OCP Objectives & Policies
- Balance support for tenants without unreasonably impacting development

Report to Council



Date: March 3, 2025
To: Council
From: City Manager
Subject: UBCM Emergency Operations Centre Regional Application Grant
Department: Fire Department

Recommendation:

THAT Council receives, for information, the report from Kelowna Fire Department dated March 3, 2025, with respect to UBCM Regional Grant Funding Application Emergency Operations Centre Equipment and Training Funding;

AND THAT Council approved the Regional District of Central Okanagan applying for, receiving, and managing the 2025 UBCM Community Emergency Preparedness Fund grant, under the Emergency Operations Centre Equipment and Training stream on behalf of the City of Kelowna;

Purpose:

To support the Regional District to apply for the grant funding Regional Emergency Operations Centre Equipment and Training Grant application for a maximum of \$240,000.

Council Priority Alignment:

Climate & Environment

Background:

Emergency Management staff have prepared a regional application to request grant funding and subsequently pool funds for Emergency Operations Centre Equipment and Training. Grant funds will be used for Emergency Operations Centre training complete with tabletop exercises and mock activations, communications training for the Public Information Officers, team building within the EOC and mental health and wellness training.

The City of Kelowna supports regional grant funding in collaboration with all regional partners to enhance the resiliency of our local partners, First Nations, and communities in responding to emergencies

Internal Circulation:

Finance
City Clerk

Considerations applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Consultation and Engagement:

Submitted by: B. Seibert, Emergency Program Manager

Approved for inclusion: S. Leatherdale, General Manager, People and Protective Services

Report to Council



Date: March 3, 2025
To: Council
From: City Manager
Subject: Sale of Deterrent Spray Bylaw
Department: Community Safety Services Branch

Recommendation:

THAT Council receives, for information, the report from the Community Safety Services Branch dated February 24, 2025, regarding the creation of a Sale of Deterrent Spray Bylaw No. 12678;

AND THAT Bylaw No. 12678, being Sale of Deterrent Spray Bylaw, be forwarded for reading consideration;

AND THAT Bylaw No. 12679, being Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475, be forwarded for reading consideration;

AND FURTHER THAT Council directs staff to give notice by placing a newspaper advertisement to allow written comments from the public to be submitted to the Community Safety Services Manager no later than 4 p.m. on March 19, 2025.

Purpose:

To adopt a bylaw regulating the sale of Deterrent Sprays (e.g. bear sprays) from businesses.

Council Priority Alignment:

Crime & Safety

Background:

Deterrent Spray (e.g., bear spray) is a large area-type airborne animal repellent, housed in an aerosol spray canister which can be deployed to deter animals like bears up to 10.5 meters (35 feet) away. Like the pepper spray used by police officers, the active ingredient is capsaicin, a chili pepper extract, known to irritate the eyes and respiratory system. Other sprays such as dog and coyote spray, have similar effects and ingredients as bear spray with a shorter deployment distance and reduced dispersal area.

There has been a notable increase of police generated files involving deterrent spray in urban areas of Kelowna as well as an increased percentage of deterrent spray files involving youth. Since 2019, files

involving deterrent spray have increased more than 80 per cent. Further, deterrent spray files that involved youth increased from 6 per cent to over 19 per cent of all files generated.

Discussion:

Deterrent Sprays are legal products in Canada and are regulated by the Federal *Pest Control Products Act* for the import, use, sale and manufacturing of the chemical products. In British Columbia, the *Integrated Pest Management Act and Regulations* excludes deterrent sprays from the list of regulated pesticides and does not require a vendor to have a specific license to sell deterrent sprays.

Staff conducted a review of best practices of other municipalities which included consideration of regulatory and non-regulatory approaches as well as an analysis of relevant legal authorities and business engagement of big box stores and local suppliers. With support from the business community, it was determined that regulating the sale of deterrent spray was the best mechanism to reduce the number of police files involving deterrent spray within the City.

The proposed Sale of Deterrent Spray Bylaw would apply to any spray containing capsaicin, or related capsaicinoids, such as dihydrocapsaicin or nordihydrocapsaicin, or any other spray listed in the Pesticide Product Information Database administered by the Federal *Pest Management Information Service*. The proposed Bylaw will require all vendors to record the sale, including serial number, of all deterrent sprays, preserve those records for three years, and make available those records to a Bylaw Officer or police officer in the course of a specific investigation. The proposed Bylaw will specifically prohibit vendors from selling to persons without identification, or those under the age of 18 years.

Conclusion:

Staff recommend regulating the sale of deterrent spray through the Sale of Spray Deterrent Bylaw to provide a barrier to sale for those who are purchasing for illegitimate use, keep it out of the hands of youth, and give authority to police and bylaw enforcement officers to educate, investigate and enforce the sale of deterrent spray.

Internal Circulation:

Office of the City Clerk
Bylaw Services
Communications Department
Business Licensing Department

Considerations applicable to this report:

Legal/Statutory Authority:

Community Charter
S. 8 - Fundamental powers
S. 15 - Licensing and standards authority
S. 60 - Business licence authority

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Consultation and Engagement:

Submitted by: K. Duggan, Community Safety Services Manager

Approved for inclusion: S. Leatherdale, General Manager, People & Protective Services

cc:

Insp. Chris Goebel, RCMP Acting Officer in Charge – Kelowna Region

Joe Sass, General Manager, Corporate Services

Lisa Corcoran, Communications Director

Kevin Mead, Acting Community Safety Director

Kevin Duggan, Community Safety Services Manager

Nick Bonnett, Acting Bylaw Services Manager

Sarah Krakower, Acting Licensing and Systems Improvement Supervisor



City of
Kelowna

Bylaw Regulating the Sale of Deterrent Spray

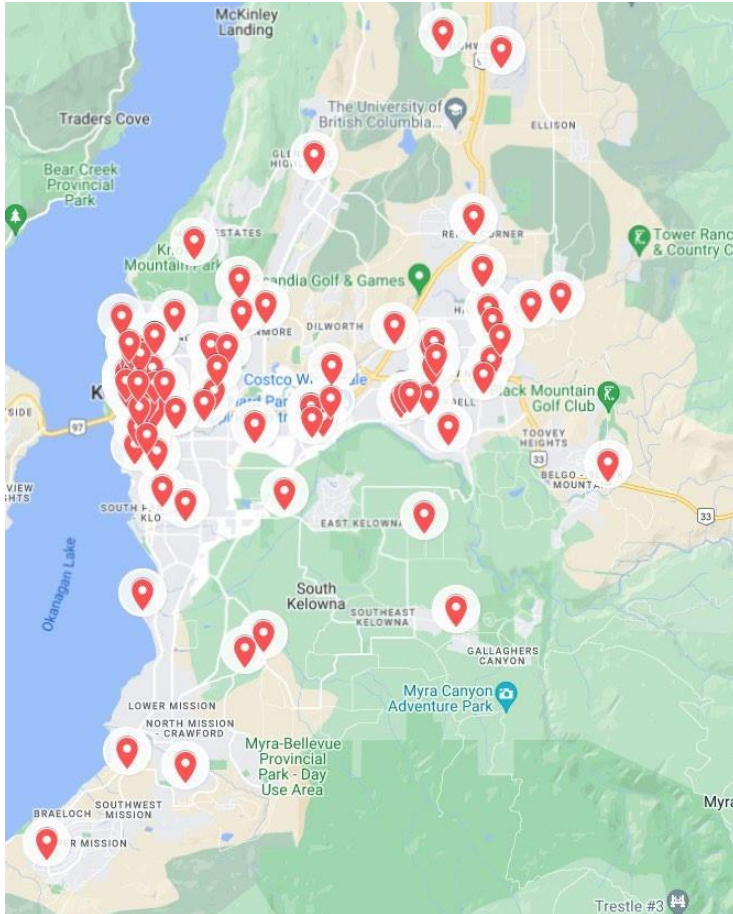
February 10, 2025

Deterrent Spray – the Problem

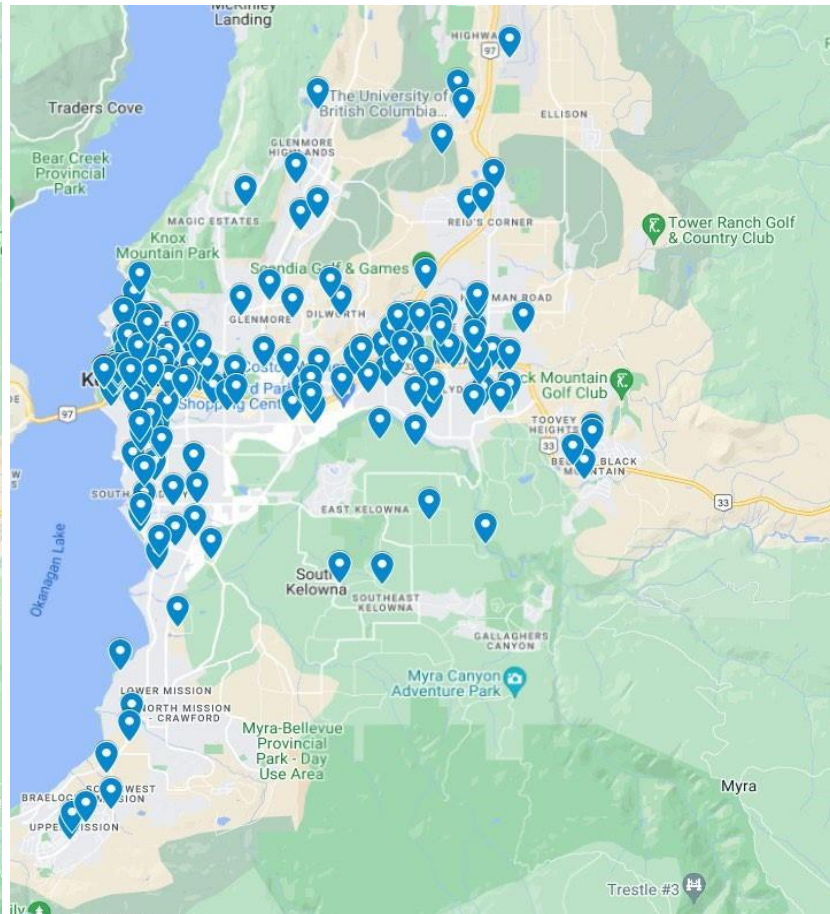
- ▶ Increase of police generated files involving deterrent spray in the urban areas of Kelowna
 - ▶ Since 2019, files involving deterrent spray have increased 80.5%.
- ▶ Increase percentage of deterrent spray files involving youth.
 - ▶ Since 2019, youth involvement increased from 6% of all files to 19.2%.

Locations where Deterrent Spray was used

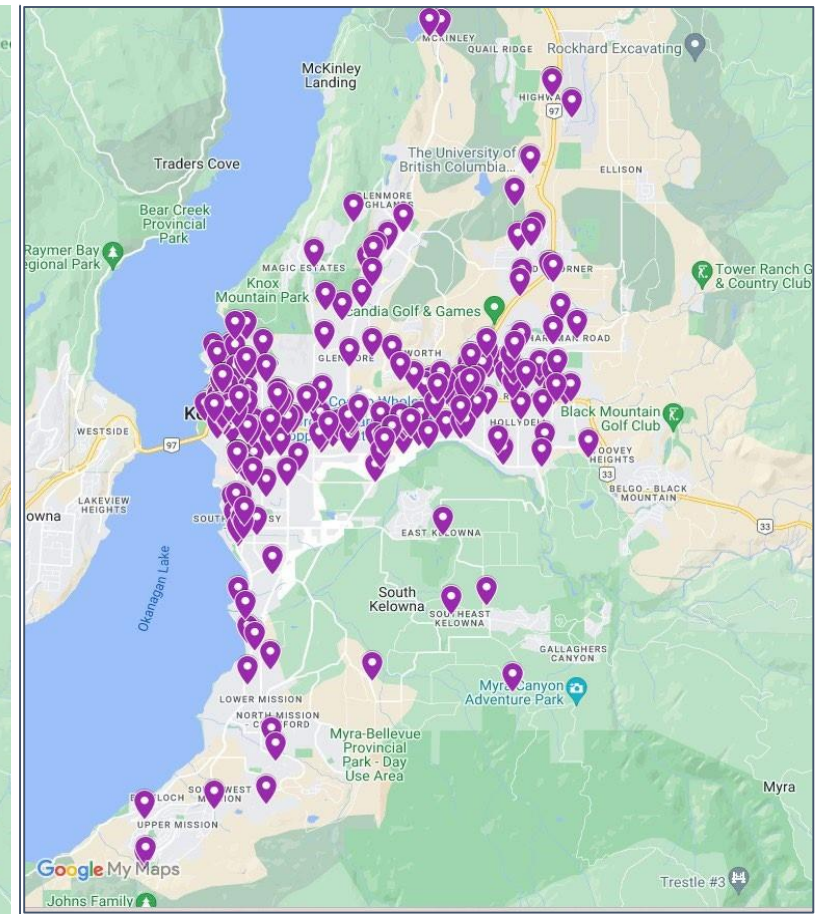
Youth



Adult



Unknown



Proposed Bylaw No.12678

- ▶ The “Sale of Deterrent Spray Bylaw” will require businesses to:
 - ▶ Not sell to those under the age of 18
 - ▶ Check valid ID
 - ▶ To keep record of transaction for 3 years
 - ▶ Including product serial number, purchaser’s name and address
 - ▶ Keep deterrent sprays inaccessible to the public
 - ▶ Produce records to Bylaw Officer or Police in the course of an investigation.
- ▶ The related Bylaw No. 12679, is Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475
 - ▶ Specifies penalty amounts for Bylaw contravention



Questions?

CITY OF KELOWNA

Sale of Deterrent Spray Bylaw No. 12678

WHEREAS under section 8(6) of the Community Charter, S.B.C. 2003, c. 26, a municipal council may, by bylaw, regulate in relation to business;

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

1. Definitions

1.1. In this bylaw a word, phrase, or term not defined in this section will have the same meaning as Business Licence and Regulation Bylaw No. 12585, as amended or replaced from time to time.

1.2. In this bylaw:

“Authorized Identification” means a current piece of government issued photo identification that includes the bearer’s name, date of birth, and signature.

“Authorized Vendor” means a business that primarily services the need of an outdoor enthusiast or sportsperson.

“Authorized Wholesaler” means a bulk distributor of goods sold to an Authorized Vendor.

“Deterrent Spray” means a repellent device containing capsaicin or related capsaicinoids, such as dihydrocapsaicin or nordihydrocapsaicin or other spray listed in the Pesticide Product Information Database administered by the Federal Pest Management Information Service.

“Register” means a compilation of records in legible English of Deterrent Spray sold or disposed of by the Authorized Vendor.

2. Regulations

2.1. An Authorized Vendor or an Authorized Wholesaler may sell, offer to sell, trade, barter, or exchange Deterrent Spray.

2.1.1. No other person or business will sell, offer to sell, trade, barter, or exchange Deterrent Spray.

2.2. An Authorized Wholesaler may only sell Deterrent Spray to an Authorized Vendor which holds a valid business licence under the Business Licence and Regulation Bylaw No. 12585.

2.3. An Authorized Vendor

2.3.1. will not display, shelve, or store Deterrent Spray in an area accessible to the public.

2.3.2. will not sell, offer to sell, trade, barter, or exchange Deterrent Spray to

(a) a person under the age of 18 years;

(b) a person who does not present Authorized Identification;

(c) a person who the Authorized Vendor assumes is purchasing Deterrent Spray for a person under the age of 18 years or a person who is not in possession of Authorized Identification;

(d) a person who indicates they are purchasing other than for its intended purpose; or

(e) a person who does not complete the Register.

2.3.3. must maintain a Register in chronological order of date of sale or disposal.

(a) A record for the Register will be completed at the time of the sale or disposal.

(b) A record for the Register must be maintained for 3 years from the date of the sale or disposal.

- 2.4. A record for the Register will include the
 - 2.4.1. product name, volume, quantity, and serial number;
 - 2.4.2. date and hour of the sale; and
 - 2.4.3. purchaser's name, phone number, full civic address including postal code, and Authorized Identification type.

3. Inspection

- 3.1. Subject to Section 16 of the *Community Charter* and section 3.2 of this bylaw, an Authorized Vendor will produce a Register for a Bylaw Enforcement Officer or police officer.
- 3.2. An Authorized Vendor will produce a Register for a person listed in section 3.1. only when it can be reasonably expected to assist in
 - 3.2.1. protection and enhancement of the safety and well-being of the community; or
 - 3.2.2. enforcement of this bylaw.

4. Penalty

- 4.1. Every person who violates a provision of this Bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Fifty Thousand Dollars (\$50,000.00) and the costs of prosecution.
- 4.2. Each day a violation of the provision of this bylaw exists or is permitted to exist will constitute a separate offence.
- 4.3. A penalty imposed pursuant to this bylaw will be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

5. Severability

- 5.1. If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

6. This bylaw may be cited as "Sale of Deterrent Spray Bylaw No. 12678".

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

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

Bylaw No. 12679

Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Bylaw Notice Enforcement Bylaw No. 10475 be amended as follows:

1. THAT Schedule "A" be amended by adding in its appropriate location a new section pertaining to the Sale of Deterrent Spray Bylaw No. 12678 that reads as follows:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as "Yes")
Sale of Deterrent Spray Bylaw No. 12678						
12678	2.3.1	Fail to keep Deterrent Spray in an area inaccessible to the public	\$500.00	\$450.00	\$500.00	No
12678	2.3.2	Incorrectly sell Deterrent Spray to a person	\$500.00	\$450.00	\$500.00	No
12678	2.3.3	Fail to maintain a Register	\$500.00	\$450.00	\$500.00	No
12678	3.1	Fail to produce a Register upon request	\$500.00	\$450.00	\$500.00	No

2. This bylaw may be cited as "Bylaw No. 12679, being Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475".
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: March 3, 2025
To: Council
From: City Manager
Subject: City of Kelowna Tariff Response Update
Department: Corporate Services

Recommendation:

THAT Council receives for information the City of Kelowna Tariff Response Update report.

Purpose:

The purpose of this report is to provide information to Council on the City of Kelowna’s organizational response to recent tariff threats from the United States.

Background:

Recent developments in trade relations between Canada and the United States have raised concerns about potential tariffs on exported Canadian goods. Indications are that if the tariffs are placed on Canadian goods that Canada would retaliate, risking further economic and trade challenges to our highly integrated economies.

Currently, tariff application has been extended to at least March 2, 2025, however City staff continue to contingency plan in the event these policies are ultimately applied.

Discussion:

Staff have assessed key critical areas of the organization that may have material exposure to commerce with the United States. To date, the key risks requiring mitigation relate to:

- Infrastructure related contracts at YLW, totaling approximately \$3 million USD.
- Commodity items relating to infrastructure projects. Estimated exposure would be approximately \$20 million USD in anticipated spend for 2025.
- Access to key commodities given “buy Canadian” public expectations in the event tariffs are applied.
- General economic outlook for Kelowna and Canada (interest rate exposure, investment returns, currency volatility etc.).

Mitigating steps taken to date include:

- Assembling the Critical Incident Response Team to ensure a coordinated approach to assessing and mitigating risks.
- Dollar-cost-averaging the acquisition of USD to mitigate currency fluctuations.
- Exploring with MFA opportunities for derivative (forward) contracts to mitigate against adverse movements in the exchange rate.
- Developing sensitivity-based investment options considering the impact on tariffs on different investment strategies.

Planned mitigation plans include:

- Procurement contingency planning and alternative sourcing approaches focusing on Canadian suppliers to strengthen supply chains and reduce dependence on tariffed goods.
- Interim capital plan update to ascertain escalation and propose any necessary amendments to Council to ensure appropriate contingencies are held to address tariff related impacts.
- Review opportunities for strategic debt recognizing potential declining interest rates.
- Monitor economic relief grant opportunities.
-

Procurement considerations:

- Trade agreements and regulations limit our ability to declare Canadian-only procurement but allow it under certain criteria and dollar thresholds.
- When permitted by regulation a Canadian-only approach could consider:
 - Identifying Canadian supplier options to strengthen interprovincial supply chains,
 - Alternative sourcing approaches to mitigate dependence on tariffed goods,
 - Limiting tendering to Canadian goods, services, or suppliers, and
 - Preferring selections that include greater Canadian value-add content.
- These strategies must have a reasonable prospect of achieving best value outcomes and can be limited by cost and availability.
- Time, complexity and costs implications would be likely.
- Procurement strategies always enable the selection of value-based performance criteria that prioritize local and Canadian suppliers, such as knowledge of geographic or regulatory requirements. These criteria are often inherent in our selection process, resulting in 99% of our suppliers being Canadian entities.
- Therefore, we recommend **not** implementing a restrictive Canadian-only policy but focusing on local value-based performance criteria. This approach allows for the greatest flexibility, is already successful, and provides the greatest value to our citizens.

Staff commit to providing regular updates as necessary as the uncertain environment continues to unfold.

Considerations not applicable to this report:

Internal Circulation
 Legal/Statutory Authority
 Legal/Statutory Procedural Requirements
 Existing Policy

Personnel Implications
External Agency/Public Comments
Communications Comments
Alternate Recommendation

Submitted by: Joe Sass, General Manager Corporate Services

Approved for inclusion: Doug Gilchrist, City Manager