# REPORT TO COUNCIL



**Date:** February 27<sup>th</sup>, 2023

To: Council

From: City Manager

**Department:** Development Planning

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

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

**Subject:** Text Amendment Application

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

**Existing Zone:** RR1 – Large Lot Rural Residential

### 1.0 Recommendation

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

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

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

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

# 2.0 Purpose

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

### 3.0 Development Planning

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

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

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

### 4.0 Proposal

# 4.1 <u>Background</u>

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

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

### 4.2 Project Description

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

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

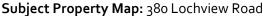
The applicant has indicated that the guests will typically be shuttled to/from the airport, however, there are up to 12 parking spaces on site. There are no exterior changes required onsite as part of the application, therefore the character of the dwelling will remain as it is today.

## 4.3 Site Context

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

Specifically, adjacent land uses are as follows:

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





#### **Current Development Policies** 5.0

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

# Objective 10.1 Acquire new parks to enhance livability throughout the City. Policy 10.1.3 Park Consider a balanced approach between all active park types when considering the Acquisition acquisition of future parkland to acknowledge the wide diversity of park users and **Priorities** park needs: City-wide parks: provide lake or linear park access or hilltop views. City-wide and Recreation parks: are adjacent or connected to existing parks creating efficiencies by building adjacent existing infrastructure, such as playgrounds, washrooms, parking, and irrigation; Recreation parks: Maximize the use of limited large flat sites by providing additional fields and courts for the greatest demand and diversity of groups; and Community and Neighbourhood parks: serve growth, particularly in Urban Centres and the Core Area, and other areas of multi-family

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

### 6.o Technical Comments

# 6.1.1 <u>Development Engineering Department attached as Attachment "B".</u>

# 7.0 Application Chronology

Date of Application Accepted: July 28<sup>th</sup>, 2021

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

**Report prepared by:** Tyler Caswell, Planner II

**Reviewed by:** Dean Strachan, Community Planning & Development Manager

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

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

### Attachments:

Schedule A: Proposed Text Amendment

Attachment A: Development Engineering Memorandum

Attachment B: Proposed Road Reserve Location

Attachment C: Applicant Rationale