Report to Council



Date: March 20, 2023

To: Council

From: City Manager

Department: Policy and Planning

Application: OCP23-0004 Owner: 480 Penno Road Ltd.,

BC1381501

Address: 480 Penno Road Applicant: City of Kelowna

Subject: OCP Amendment

Existing OCP Designation: IND - Industrial

Proposed OCP Designation: REC – Private Recreational

Existing Zone: P3 – Parks and Open Space

1.0 Recommendation:

THAT Official Community Plan Map Amendment Application No. OCP23-0004 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of Lot B District Lot 123 ODYD Plan EPP41714, located at 480 Penno Road, Kelowna, BC from the IND – Industrial designation to the REC – Private Recreational designation, as outlined in the Report from the Policy & Planning Department dated March 20, 2023, be considered by Council;

AND THAT the Official Community Plan Amending Bylaw No. 12499 be forwarded to a Public Hearing for further consideration;

AND THAT the requirement to hold a Public Information Session, conduct Neighbour Consultation and post a Development Notice Sign, prior to the Official Community Plan Map Amending Bylaw receiving first reading, in accordance with the *Local Government Act*, and the City of Kelowna's Development Application and Heritage Procedures Bylaw No. 12310, be waived.

2.0 Purpose:

To amend the Official Community Plan to change the future land use designation of the subject property from the Industrial designation to the Private Recreational designation.

3.0 Development Planning

At the regular meeting of February 27, 2023; staff were directed by Council to bring forward an amendment to Kelowna's OCP2040 related to the future land use designation of 480 Penno Road (Kelowna Springs Golf Course)

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

4.0 Proposal

4.1 <u>Background</u>

During two Regular Meetings in June and July 2022, concern was raised by Council pertaining to the subject property's 2040 Official Community Plan Industrial Future Land Use and directed staff to initiate an OCP Amendment process to change the Future Land Use to Private Recreational, as was signaled in the previous 2030 OCP. On August 22, 2022 Council defeated a proposed resolution and the bylaw to amend the Official Community Plan was not considered. In early 2023, Council expressed an interest in reconsidering the Future Land Use designation for the subject property.

Previous Council Resolutions

Resolution	Date
THAT Council direct staff to bring forward for Council consideration a bylaw	February 27, 2023
to amend the OCP 2040 Future Land Use Map 3.1 designation for 480 Penno	
Rd from the "IND - Industrial" designation to the "REC – Private Recreational"	
designation.	
THAT Council receives for information, the report from the Policy & Planning	July 25, 2022
Department dated July 25, 2022 regarding the Future Land Use for 480 Penno	
Road.	
THAT Council direct staff to bring forward for Council consideration a bylaw	
to amend the OCP 2040 Future Land Use Map 3.1 designation for 480 Penno	
Rd from "Industrial" to "Private Recreational".	
THAT Council direct staff to bring forward the rationale for the OCP 2040 Map	June 27, 2022
3.1 Future Land Use designation for 480 Penno Rd.	

Subject Property Map: 480 Penno Road



5.0 Current Development Policies

5.1 <u>Development Application and Heritage Procedures Bylaw No. 12310</u>

The purpose of the Bylaw is to establish procedures for the processing of land development applications, including amendments to the Official Community Plan. The Bylaw outlines that consultation requirements as identified in Council Policy No. 367 must be undertaken. This Policy establishes standards and procedures for applicant's public notification and consultation responsibilities in respect of development applications prior to initial Council consideration. This ensures transparent and consistent application of standards for the benefit of affected residents, the development community and the City.

As this proposed OCP amendment involves a major change to the Future Land Use class, public notification prior to consideration of first reading includes posting a development notice sign, conducting neighbour consultation and hosting a public information session. It is recommended that Council waive this pre-first reading public notification requirement as the proposal has already garnered early public engagement, numerous media stories, and significant public correspondence.

Report prepared by: Policy and Planning

Reviewed by: Policy and Planning

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