

# REPORT TO COUNCIL REZONING



**Date:** January 15, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 445 & 465 Edith Gay Road  
**File No.:** Z23-0042

	Existing	Proposed
<b>OCP Future Land Use:</b>	S-RES – Suburban Residential	S-RES – Suburban Residential
<b>Zone:</b>	RU1 – Large Lot Housing	RU4 – Duplex Housing

### 1.0 Recommendation

THAT Rezoning Application No. Z23-0042 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 12 Section 35 Township 26 ODYD Plan 18660, located at 445 Edith Gay Road, Kelowna, BC, and Lot 13 Section 35 Township 26 ODYD Plan 18660, located at 465 Edith Gay Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Farm Protection Development Permit for the subject property.

### 2.0 Purpose

To rezone the subject properties from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone to facilitate the development of duplex housing.

### 3.0 Development Planning

Staff support the proposed rezoning to the RU4 – Duplex Housing zone to facilitate the subdivision of four duplex lots. The RU4 zone aligns with the Official Community Plan (OCP) Future Land Use designation of S-RES – Suburban Residential. The Suburban Residential Designation is intended to accommodate most of the city’s single and two dwelling residential growth. OCP Policy speaks specifically to consideration of a range of low density ground-oriented housing development to improve housing diversity and affordability.

As the proposed development is immediately adjacent to agricultural land within the Agricultural Land Reserve (ALR), a Farm Protection Development Permit is required prior to development of the properties. This will require that a landscape buffer is planted between the residential uses and the agricultural lands and establish a minimum setback for residential uses from the ALR. This complies with OCP policy ensuring an urban-rural interface that protects agricultural uses.

Lot Area	Proposed (m <sup>2</sup> )
Gross Site Area	3514 m <sup>2</sup>
Road Dedication	N/A
Undevelopable Area	N/A
Net Site Area	3514 m <sup>2</sup>

Staff will bring forward changes to the zoning bylaw in winter/spring 2024 to comply with new Provincial legislation (Bill 44), which will allow three to four units on lots currently zoned for single-family or duplex use in municipalities of over 5,000 people and within urban containment boundaries. This property is within the Permanent Growth Boundary, meaning, this type of application will no longer require a rezoning process.

**4.0 Site Context & Background**

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single detached housing
East	A1 – Agriculture	Farmland
South	RU1 – Large Lot Housing RU4 – Duplex Housing	Single detached housing Duplex housing
West	RU1 – Large Lot Housing	Single detached house

**Subject Property Map: 445 & 465 Edith Gay Road**



The subject properties are located at the southeast corner of the intersection of Edith Gay Road and Friesen Road. The surrounding neighbourhood primarily consists of single detached housing and duplex housing, with agricultural land to the east. Edith Gay Park is located approximately 120 m to the west.

**5.0 Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

<b>Objective 7.2 Create more complete communities in Suburban Neighbourhoods</b>	
	Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban

Policy 7.2.1 Ground-Oriented Housing	footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities.  <i>The proposed duplex housing zone will facilitate more intensive ground-oriented housing development. Edith Gay Park is in close proximity to the subject properties.</i>
<b>Objective 7.4 Ensure a compatible urban-rural interface that protects agricultural uses.</b>	
Policy 7.4.3 Urban-Rural Buffers	Where a property is adjacent to land in the ALR and land designated Rural – Agricultural and Resource (R-AGR), ensure that development limits associated negative impacts on adjacent agricultural operations by including appropriate buffers, setbacks and site planning, consistent with the Farm Protection Development Permit Guidelines outlined in Chapter 22: Farm Protection Development Permit Area.  <i>Prior to development, a Farm Protection Development Permit will be required to specify the necessary landscape buffer between the subject properties and adjacent agricultural lands and minimum required setbacks.</i>

**6.o Application Chronology**

Application Accepted: June 21, 2023  
 Neighbourhood Notification Summary Received: December 21, 2023

**Report prepared by:** Mark Tanner, Planner II  
**Reviewed by:** Dean Strachan, Community Planning & Development Manager  
**Reviewed by:** Nola Kilmartin, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

**Attachments:**  
 Attachment A: Proposed Lot Layout

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).