

# REPORT TO COUNCIL REZONING



**Date:** February 5, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 135 Barber Road  
**File No.:** Z23-0049

	Existing	Proposed
<b>OCP Future Land Use:</b>	UC – Urban Centre	UC – Urban Centre
<b>Zone:</b>	UC <sub>4</sub> – Rutland Urban Centre	UC <sub>4r</sub> – Rutland Urban Centre Rental Only

## 1.0 Recommendation

THAT Rezoning Application No. Z23-0049 amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of LOT A SECTION 22 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP124267, located at 135 Barber Road, Kelowna, BC from the UC<sub>4</sub> – Rutland Urban Centre zone to the UC<sub>4r</sub> – Rutland Urban Centre Rental Only zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment “A” attached to the Report from the Development Planning Department dated February 5, 2024;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council’s consideration of a Development Permit and Development Variance Permit for the subject property.

## 2.0 Purpose

To rezone the subject property from the UC<sub>4</sub> – Rutland Urban Centre zone to the UC<sub>4r</sub> – Rutland Urban Centre Rental Only zone to facilitate a rental apartment housing development.

## 3.0 Development Planning

Staff recommend support for the proposed rezoning to the rental only subzone. The existing zone of the property is UC<sub>4</sub> – Rutland Urban Centre, and this rezoning application is to add the rental only subzone, which would restrict any building or bareland stratification of residential housing units, supporting households seeking rental housing. The utilization of the rental only subzone supports key direction within the Healthy Housing Strategy to promote and protect rental housing.

Lot Area	Proposed (m <sup>2</sup> )
Gross Site Area	3,150 m <sup>2</sup>
Road Dedication	142.2 m <sup>2</sup>
Net Site Area	3,007.8 m <sup>2</sup>

**4.0 Site Context & Background**

Orientation	Zoning	Land Use
North	P1 – Major Institutional P2 – Education and Minor Institutional UC4dt-fg – Rutland Urban Centre (Drive Through and Fuelling and Gas Stations)	Apartment Housing Health Services Gas Bar, Food Primary with Drive Through
East	UC4dt-rcs - Rutland Urban Centre (Drive Through and Retail Cannabis Sales)	Retail, Retail Cannabis Sales
South	RU1 – Large Lot Housing	Single Detached Housing
West	UC4 – Rutland Urban Centre	Apartment Housing Single Detached Housing

**Subject Property Map: 135 Barber Road**



**4.1 Background**

A Zoning Bylaw Text Amending Bylaw (site-specific text amendment) for this property received second and third reading at a Regular Meeting of Council on May 9, 2023. The text amendment was to permit ground-floor commercial uses to occupy a minimum of 0% of the Hwy 33 W street frontage. This development was subsequently redesigned, and this current application is to rezone to the rental only subzone was accepted on August 3, 2023. The redesigned project does not include any ground-floor commercial on the Hwy 33 W street frontage and the site-specific text amendment is still required. Final adoption of the Zoning Bylaw Text Amending Bylaw would be considered in conjunction with Council’s consideration of a Development Permit and Development Variance Permit for the property.

**5.0 Application Chronology**

Date of Application Accepted (TA22-0018 Text Amendment):	November 24, 2022
Neighbourhood Notification Summary Received (Text Amendment):	February 18, 2023
Date of Public Hearing (TA22-0018 Text Amendment):	May 9, 2023

Application Accepted (Z23-0049 Rezoning):

August 3, 2023

Neighbourhood Notification Summary Received (Z23-0049 Rezoning):

January 4, 2024

**Report prepared by:** Kimberly Brunet, Planner Specialist  
**Reviewed by:** Jocelyn Black, Urban Planning Manager  
**Reviewed by:** Nola Kilmartin, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

**Attachments:**

Attachment A: Development Engineering Memo

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