

REPORT TO COUNCIL

REZONING & TEXT AMENDMENT



Date: July 22, 2024
To: Council
From: City Manager
Address: 3805 Lakeshore Rd
File No.: Z23-0035 TA24-0008

	Existing	Proposed
OCP Future Land Use:	VC – Village Centre	VC – Village Centre
Zone:	P3 – Parks and Open Space P4 – Utilities	VC1 – Village Centre

1.0 Recommendation

THAT Rezoning Application No. Z23-0035 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 1 District Lot 134 Osoyoos Division Yale District Plan 39987, located at 3805 Lakeshore Rd, Kelowna, BC from the P3 – Parks and Open Space zone and from the P4 – Utilities zone to the VC1 – Village Centre zone as shown on Map “A” attached to the Report from the Development Planning Department dated July 22, 2024, 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 July 22, 2024;

AND FURTHER THAT Zoning Bylaw Text Amendment Application No. TA24-0008 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule “A” attached to the Report from the Development Planning Department dated July 22, 2024, be considered by Council.

2.0 Purpose

To rezone the subject property from the P3 – Parks and Open Space zone and the P4 – Utilities zone to the VC1 – Village Centre zone to facilitate a mixed-use development and to amend the Zoning Bylaw by creating a site-specific regulation allowing for a car-share program to be located within an enclosed parkade and eligible for a parking reduction.

3.0 Development Planning

Staff recommend support for the proposed rezoning to the VC1 – Village Centre zone. This proposed zone is consistent with the Future Land Use designation within the Official Community Plan (OCP) of Village Centre. Policies within the OCP encourage Village Centres to be developed as Kelowna’s secondary hubs of activity. The proposed VC1 – Village Centre zone would facilitate a mixed-use development in support of these policies.

Should the project be supported by Council, a Natural Environment Development Permit would be required to be issued prior to any building permit being issued. This will ensure the protection of the Riparian Management Area (wetland) through the registration of a no-disturb covenant. The Natural Environment Development Permit also requires the remediation and restoration of the Riparian Management Area.

Site-Specific Text Amendment:

This application proposes a site-specific text amendment to the car-share incentive regulations within the Zoning Bylaw. Section 8.2.11(b) allows for the total minimum off-street vehicle parking requirements to be reduced by five (5) parking spaces per car-share vehicle provided on site. The maximum reduction in total required parking is 20% (for base parking requirement). The Zoning Bylaw specifies that the following regulations also need to be met:

- the car-share vehicle parking space must be located on-site or within 100 metres of the subject property, in a highly visible spot, at-grade, publicly accessible at all times (i.e., not within an enclosed parkade), clearly marked for the exclusive use of the shared vehicle and guaranteed to operate for a minimum of two years

The City currently has one established car-share organization (Modo). The applicant was unable to secure car-share services from Modo, as the property was seen as too distant from their existing vehicles and membership network and posed too much of a risk. To be able to utilize car-share incentives, the applicant is proposing five car-share stalls be provided by Jim Pattison Lease, which would be established in Kelowna on this property. A car-share organization, as defined in the Zoning Bylaw, means operations that allow members of the general public to book vehicles on a short-term as-needed basis, paying only for the time they use the vehicle and the distance they drive. The operators are responsible for maintenance, insurance and vehicle booking through an online application.

Base parking requirements are calculated from the residential unit composition and gross floor area of commercial uses. Based on draft development permit drawings, this proposal has a base parking requirement of 109 stalls. If the site-specific text amendment application is supported by Council, the project would be eligible to reduce the required on-site base parking requirement by up to 22 stalls (or 20%) by providing five (5) car-share stalls on site. This is the 20% maximum reduction possible under the Zoning Bylaw's car-share incentive regulations.

This site-specific text amendment would allow for car share stalls to be located within an enclosed parkade and not in a highly visible spot, as required under Section 8.2.11(b). The Zoning Bylaw requires a car share to be guaranteed to operate for a minimum of two years, and the applicant has proposed their car-shares to operate for a minimum of four years. Further details of the proposed car-share program, including how they would meet the other requirements of the Zoning Bylaw, as well as comply with the car-share organization definition, is included in Attachment D.

Development Planning is currently reviewing the existing car-share incentives regulations, given the interest in car-share programs that operate differently than the regulations, such as this proposal.

Lot Area	Proposed (m ²)
Gross Site Area	9,182 m ²
Road Dedication	325.27 m ²
Undevelopable Area (Riparian Management Area)	5,498 m ²
Net Site Area	3,358.73 m ²

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	VC1 – Village Centre	Mixed-Use (Commercial/Apartment Housing)
East	MF1 – Infill Housing	Single Detached Housing
South	MF1 – Infill Housing	Single Detached Housing
West	P1 – Major Institutional	Non-Accessory Parking

Subject Property Map: 3805 Lakeshore Rd



The subject property is located within the Cook Truswell Village Centre on the east side of Lakeshore Rd. The property has an existing single storey commercial building which has been used for radio telecommunications. It is currently vacant and would be demolished to facilitate this development. The southern portion of the property contains a known wetland, which would be formally protected through the registration of a no-disturb covenant and the Riparian Management Area would be remediated and restored.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.1 Encourage Village Centres as Kelowna's secondary hubs of activity.		
Policy Village Composition	5.1.1. Centre	Encourage the development of a range of services, small scale and specialty retail, and limited office employment in scale with supporting low rise residential development in Village Centres to serve the surrounding Core Area Neighbourhoods. Support these uses with additional parks, plazas and other public realm improvements. <i>The proposed VC1 – Village Centre zone would allow a building up to six storeys in height with a variety of permitted uses.</i>
Objective 5.11 Increase the diversity of housing forms and tenure to create an inclusive, affordable and complete Core Area.		
Policy Diverse Forms	5.11.1 Housing	Ensure a diverse mix of low and medium density housing forms in the Core Area to support a variety of household types and sizes, income levels and life stages. <i>The proposed VC1– Village Centre zone would permit medium density housing forms, including apartment housing.</i>

5.2 Application Chronology

Application Accepted: May 24, 2023
 Neighbourhood Notification Summary Received: June 28, 2024

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

Attachments:

Schedule A: Proposed Site-Specific Text Amendment to Zoning Bylaw No. 12375
 Attachment A: Development Engineering Memo
 Attachment B: Summary of Neighbourhood Notification
 Attachment C: Draft Site Plan
 Attachment D: Applicant's Letter of Rationale for the Site-Specific Text Amendment
 Map A: Zoning Amendment Z23-0035

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