

REPORT TO COUNCIL

OCP & REZONING



Date: March 3, 2025
To: Council
From: City Manager
Address: 5570 Lakeshore Rd
File No.: OCP24-0011 and Z24-0036

	Existing	Proposed
OCP Future Land Use:	R-AGR – Rural Agricultural & Resource S-RES - Suburban Residential	S-RES – Suburban Residential
Zone:	A2 – Agriculture/Rural Residential	RR2 – Small Lot Rural Residential

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP24-0011 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban - Residential designation, as shown on Map “A” attached to the Report from the Development Planning Department dated March 3, 2025, NOT be considered by Council;

AND THAT Rezoning Application No. Z24-0036 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC from the A2 – Agriculture/Rural Residential zone to the RR2 – Small Lot Rural Residential zone as shown on Map “B” attached to the Report from the Development Planning Department dated March 3, 2025, NOT be considered by Council.

2.0 Purpose

To review a Staff recommendation to NOT amend the Official Community Plan and to NOT amend the City of Kelowna Zoning Bylaw that would facilitate a two-lot subdivision for the construction of a single detached dwelling.

3.0 Development Planning

Staff do not support the proposed Official Community Plan (OCP) and Rezoning amendments to facilitate a two-lot subdivision for a property located outside of the Permanent Growth Boundary (PGB). The proposal is inconsistent with the objectives of the Official Community Plan (OCP) which discourages subdivision for properties located outside of the PGB and to stop urban sprawl into rural lands.

The subject property is a single parcel with Lakeshore Rd. dissecting it into two. The property is split zoned; the northern portion of the property is zoned RR2 – Small Lot Rural Residential with a future land use designation of R-RES – Rural Residential, whereas the southern portion is zoned A2 – Agriculture/Rural Residential and is designated R-AGR – Rural Agricultural and Resource. The applicant is proposing to

subdivide the parcel into a northern and a southern lot and construct a single detached dwelling on the newly created southern lot.

The subject property and the neighbouring residential lots are outside of the PGB. The PGB serves as the City's Urban Containment Boundary. As per OCP policies, lands outside the PGB are not supported for urban uses, as well Agriculture Land Reserve (ALR) and non-ALR lands outside the PGB are not supported for any further parcelization.

Additionally, the subject property resides within the Rural Lands Growth District. Rural Lands are located outside of the PGB and are mostly composed of agricultural lands and natural areas. Small pockets of residential neighbourhoods are also included in these areas; however, they are not signalled for growth. Protection of these agricultural and natural lands is the top priority in this District. The land use approach in Rural Lands aims to preserve them for agricultural and rural purposes and focusing urban growth to districts that are inside the PGB.

The OCP signals Rural Residential lands as being developed for low-density residential use due to their rural location, as such these areas may or may not have urban utility services. No further intensification is supported in these locations, as doing so would increase interface issues with agricultural lands and places a greater burden on transportation and utility infrastructure. Whereas Rural Agricultural and Resource designation applies primarily to lands used for agricultural purposes both inside and outside of the ALR. The designation also includes lands that are not actively farmed, but which are located outside of the PGB, as is the case with the subject property. This designation primarily aims to protect agricultural lands from urban encroachment and incompatible uses, and in doing so, reinforces the PGB and focuses growth into lands within the PGB. Lands within the Rural – Agricultural and Resource designation are supported for agricultural, and resource uses but are not supported for urban development or for uses that could have a negative impact on agriculture. Although the subject property is not located in the ALR, it is adjacent to a property with active agriculture, which is a permitted principal use in the A2 zone, as a result increasing interface issues with agricultural lands.

Finally, the subject lot is not serviced by community sanitary sewer system. As per Section 6.6 of the Zoning Bylaw, for any rural residential use, no lots shall be created that are less than 1.0 hectares in total area unless they are serviced by a community sanitary sewer system. The only exception to this provision is subdivisions approved by the Provincial Agricultural Land Reserve Commission for a homesite severance or an institutional lot. The minimum lot area provision is reflective of the Provincial and Okanagan Basin Water Board (OBWB) wastewater 1.0 hectare Policy. To meet the minimum area requirement, the applicant is proposing to purchase lands from the neighbouring property to the south of the A2 lot, located at 5600 Lakeshore Rd.

If these OCP amendment and rezoning applications are supported by Council, an additional OCP amendment and rezoning application would also be required for the newly purchased portion of lands. Additionally, the applicant would be required to submit a subdivision application to consolidate the lands in order to satisfy the 1.0 hectare lot size requirement for each proposed lot under the RR2 zone, and an Environmental and Natural Hazard Development Permit prior to permits being issued for site works and construction on the site.

Lot Area	Proposed (m ²)
Gross Site Area	12,881
Road Dedication	N/A
Undevelopable Area	Approx. 5,680
Net Site Area	Approx. 7,201

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

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	Okanagan Lake	N/A
East	RR1 – Large Lot Rural Residential A2 – Agriculture / Rural Residential	Single detached dwelling Vacant
South	A2 - Agriculture / Rural Residential	Agriculture Vacant
West	RR1 – Large Lot Rural Residential A2 - Agriculture / Rural Residential	Agriculture Vacant

Subject Property Map: 5570 Lakeshore Rd



The subject property resulted from a subdivision dating June of 1997. There are two single detached dwellings located on the northern portion of the property, zoned RR2 – Small Lot Rural Residential. There is an accessory structure located on the southern portion of the property, zoned A2 - Agriculture/Rural Residential zone. The property is close to Bertram Regional Park and Okanagan Mountain Park, and it is not serviced by public transit. The nearest Village Centre is the Ponds Village Center, approx. 6.0 km east (as the crow flies) and the nearest transit stop is over 2.0 km east (as the crow flies) of the subject property.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

<p>Chapter 1: The Big Picture - 10 Pillars to Realize Our Vision</p> <p>Protect and Restore Our Neighbourhood: Over the past century, Kelowna’s growth has come at the cost of the natural environment and many priceless natural ecosystems have been lost or severely compromised. However, Imagine Kelowna envisions a city where the protection of land, water and air resources is strengthened, and the health of Okanagan Lake is preserved. The Official Community Plan supports this vision by protecting ecosystems and restoring others to a healthier state.</p> <p>Rural Lands: Rural Lands are located outside of the Permanent Growth Boundary and are mostly composed of agricultural lands and natural areas. Small pockets of residential neighbourhoods are also included in these areas; however, they are not signalled for growth. Protection of these agricultural and natural lands is the top priority in this district.</p>
<p>Chapter 3: Future Land Use</p> <p>Rural – Residential (R-RES) Growth Strategy Role: Rural Residential lands have been developed for low-density residential use and are generally located outside of the Permanent Growth Boundary (PGB) in the Rural Lands district. Due to their rural location, these areas may or may not have urban utility services. However, some residential neighbourhoods that have servicing or are signalled for servicing for health and safety reasons are also included in this designation. No further intensification would be supported in these locations, as doing so would increase interface issues with agricultural lands and places a greater burden on transportation and utility infrastructure. However, secondary suites within a primary building are supported and carriage houses may be considered in certain circumstances.</p> <p>Permanent Growth Boundary: The Permanent Growth Boundary (PGB) serves as the City’s Urban Containment Boundary. Lands within the Permanent Growth Boundary may be considered for urban uses within the 20 year planning horizon ending 2040. Lands outside the Permanent Growth Boundary will not be supported for urban uses. ALR and non-ALR land outside the Permanent Growth Boundary will not be supported for any further parcelization.</p>

Objective 8.1 Protect and preserve agricultural land and its capability	
Policy 8.1.4 Urban Uses	Direct urban uses to lands within the Permanent Growth Boundary, to minimize development and speculative pressure on agricultural land. <i>The subject property is outside of the Permanent Growth Boundary.</i>
Objective 8.4 Stop urban sprawl into Rural Lands	
Policy 8.4.1 Intensification of Rural Lands	Do not support urban uses on lands outside the Permanent Growth Boundary. <i>The subject property is outside of the Permanent Growth Boundary.</i>
	Discourage further subdivision of properties outside the Permanent Growth Boundary

Policy Discourage Subdivision	8.4.2	<i>The subject property is outside of the Permanent Growth Boundary and is not serviced by community sanitary sewer system.</i>
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6.0 Application Chronology

Application Accepted: July 30, 2024
 Date of Public Information Session: November 13, 2024
 Date of Information Summary Received: November 15, 2024

7.0 Alternate Recommendation

THAT Official Community Plan Map Amendment Application No. OCP24-0011 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban - Residential designation, as shown on Map “A” attached to the Report from the Development Planning Department dated March 3, 2025, be considered by Council;

AND THAT Rezoning Application No. Z24-0036 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC from the A2 – Agriculture/Rural Residential zone to the RR2 – Small Lot Rural Residential zone as shown on Map “B” attached to the Report from the Development Planning Department dated March 3, 2025, be considered by Council;

AND THAT the Official Community Plan Amendment Bylaw and Zoning Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Official Community Plan Amending Bylaw and Rezoning Bylaw be considered subsequent to an application to amend the Official Community Plan and rezone the portion of property to be consolidated with the subject property;

AND THAT the applicant be required to complete a Subdivision Application prior to permits being issued for site works and construction on the site;

AND FURTHER THAT the final adoption of the Official Community Plan and Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Report prepared by: Barbara B. Crawford, Planner II
Reviewed by: Alex Kondor, Development Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:
 Map A – OCP Amendment
 Map B – Zoning Amendment
 Attachment A: Draft Site Plan

Attachment B: Letter of Rationale

Attachment C: Summary of Public Information Session

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