

CITY OF WEST KELOWNA AGRICULTURAL ADVISORY COMMITTEE AGENDA

Wednesday, May 1, 2024, 5:00 P.M. COMMITTEE ROOM 2760 CAMERON ROAD, WEST KELOWNA, BC

			Pages
1.	CALL THE AGRICULTURAL ADVISORY COMMITTEE MEETING TO ORDER		
		cknowledged that this meeting is being held on the traditional territory of yilx/Okanagan Peoples.	
	This I	meeting is open to the public. Please note this meeting will not be webcast	
2.	INTR	ODUCTION OF LATE ITEMS	
3.	ADO	PTION OF AGENDA	
4.	ADO	PTION OF MINUTES	
	4.1	Minutes of the Agricultural Advisory Committee meeting held Wednesday, February 7, 2024 in the City of West Kelowna Council Chambers	3
5.	PRES	SENTATIONS	
6.	DELE	EGATIONS	
7.	UNFI	NISHED BUSINESS	
8.	REFE	ERRALS	
	8.1	Z 23-05; Zoning Bylaw Amendment and Official Community Plan Amendment; 3900 Gellatly Road	8
9.	COR	RESPONDENCE AND INFORMATION ITEMS	
	9.1	Decision Letter - Z 20-08, OCP and Zoning Amendment, 2211 Campbell Road	34
	9.2	Decision Letter - Z 23-12, OCP and Zoning Amendment, Unaddressed Boucherie Road	47

10. OTHER BUSINESS

11. ADJOURNMENT OF THE MEETING

The next Agricultural Advisory Committee meeting is scheduled for Wednesday, June 5, 2024 at 5:00 p.m.



CITY OF WEST KELOWNA

MINUTES OF THE AGRICULTURAL ADVISORY COMMITTEE MEETING

Wednesday, February 7, 2024
COUNCIL CHAMBERS
2760 CAMERON ROAD, WEST KELOWNA, BC

MEMBERS PRESENT: Geoffrey Oliver, Chair

Jan Bath, Vice Chair

Serina Penner Marc Shoene Anton Schori

MEMBER ABSENT: Chris Zabek

Staff Present: Yvonne Mitchell, Planner III

Natasha Patricelli, Recording Secretary

1. CALL THE AGRICULTURAL ADVISORY COMMITTEE MEETING TO ORDER

The meeting was called to order at 5:00 p.m.

1.1 Appointment of Chair

It was moved and seconded

THAT Geoffrey Oliver be appointed as Chair for 2024.

CARRIED UNANIMOUSLY

It was acknowledged that this meeting was held on the traditional territory of the Syilx/Okanagan Peoples.

This meeting was open to the public. This meeting was webcast live and archived on the City's website.

2. INTRODUCTION OF LATE ITEMS

2.1 Add Item 10.2 Introduction of New Agricultural Advisory Committee Member

3. ADOPTION OF AGENDA

It was moved and seconded

THAT the agenda be adopted as amended.

CARRIED UNANIMOUSLY

4. ADOPTION OF MINUTES

4.1 Minutes of the Agricultural Advisory Committee meeting held Wednesday, November 1, 2023 in the City of West Kelowna Council Chambers

It was moved and seconded

THAT the Minutes of the Agricultural Advisory Committee held Wednesday, November 1, 2023 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

- 5. PRESENTATIONS
- 6. **DELEGATIONS**
- 7. UNFINISHED BUSINESS
- 8. REFERRALS
 - 8.1 Z 23-12; OCP & Zoning Bylaw Amendment: Unaddressed Boucherie Road

Highlights of the presentation include:

- Subject property is located in the South Boucherie neeighbourhood;
- Currently zoned Agricultural Zone (A1) and Land Use Designation is Low Density Residential;
- Surrounding uses include: Low Density Multiple Residential Zone (R3) with site specific (permits apartments), Low Density Multiple

- Residential Zone (R3) and Duplex Residential Zone (R2) and Agricultural Zone (A1);
- Subject property is not located in the ALR, approximately 0.26 acres and is currently vacant;
- Proposal is to amend the OCP from Low Density Residential to Medium Density Residential;
- Proposal is to rezone from Agricultural Zone (A1) to Low Density Multiple Residential Zone (R3) with site specific (permits apartments);
- Applicant's rationale is to align designation and zoning with property to the north - both properties to be consolidated into a larger parcel for multi-family townhouse development;
- Subject property is located partially within steep hillside terrain, small in size and fragmented from other agricultural lands; the present agricultural zone is not the most appropriate zone;
- The proposal will not have a negative impact on the farm uses in the area;
- No historic agricultural uses have been conducted on this parcel;
 There are no farm uses to protect, enhance or promote;
- Boucherie Road provides a buffer to surrounding agriculture parcels;
- Referred to various internal departments and external agencies with no concerns identified:
- The existing Low Density Residential Land Use Designation in the City's OCP does not permit multi-family development. A OCP Amendment is required to the Medium Density Land Use Designation;
- The existing Agricultural Zone (A1) does not permit multi-family development. A rezoning is required.

Highlights of the discussion include:

- Proposal is an administrative task;
- Parcel is very steep;

- There is always possibility for agricultural use could use forgreen houses or range land;
- Narrow little parcel on the edge of Boucherie Road;
- Potential indirect impact on neighbouring agriculture would be an increased amount of traffic on Boucherie Road;
- More housing supports the agricultural businesses in the area.

It was moved and seconded

THAT the Agricultural Advisory Committee recommend support for File number Z 23-12; OCP & Zoning Bylaw Amendment: Unaddressed Boucherie Road.

CARRIED UNANIMOUSLY

9. CORRESPONDENCE AND INFORMATION ITEMS

- 9.1 Decision Letter TUP 23-01, Temporary Use Permit, 815 and 819 Douglas Road
- 9.2 Decision Letter A 21-08, Agricultural File, 3716 and 3792 Carral Road
- 9.3 Decision Letter Z 23-04, Zoning Amendment, 2004 Bartley Road

10. OTHER BUSINESS

10.1 Observations from the Provincial Agriculture Advisory Committee Workshop February 6, 2024 - Anton Schori

Member Schori provided an overview of discussions from the Provincial Agricultural Advisory Committee Workshop on February 6, 2024.

A written summary from member Schori to be circulated to Committee members.

Purpose of the workshop was to bring consistency to Agricultural Advisory Committee's all over the province.

Some highlights from the workshop include:

- Recommendation to compare Model Terms of Reference with our Agricultural Advisory Committee Terms of Reference;
- ALR is only 4.6% of British Columbia;

- 51% of individual parcels in ALR are less than 10 acres;
- Agricultural Advisory Committees should identify the needs of agriculture in the area;
- The ALC likes to see AAC comments included with applications;
- Any agriculture within 400 meters of a development application;
- Importance of providing alternatives not just saying no;
- Structure of Agriculture Advisory Committees some have a Council member on the committee, some have a Council member as the chairperson on the Committee;
- Recommendation to review of permitted uses in the ALR and the recent changes.

10.2 Introduction of New Agricultural Advisory Committee Member

New Member Marc Schoene introduced himself with a brief description of his background and experience.

10.3 Appointment of Vice Chair

It was moved and seconded

THAT Jan Bath be appointed as Vice Chair for the AAC for 2024.

CARRIED UNANIMOUSLY

11. ADJOURNMENT OF THE MEETING

The meeting adjourned at 5:34 p.m.

CHAIR	
RECORDING SECRETARY	

AGRICULTURAL ADVISORY COMMITTEE REPORT



To: Agricultural Advisory Committee Members Date: May 1, 2024

From: Yvonne Mitchell, Planner III File No: Z 23-05

Subject: **Z 23-05**; **Zoning Bylaw Amendment and Official Community Plan**

Amendment; 3900 Gellatly Road

BACKGROUND

The subject property is in the Goats Peak/Gelllatly Neighbourhood. The property is currently developed with a driveway and a single detached dwelling in the upper northeast corner of the site. The property abuts agricultural land (zoned A1 and within the ALR) to the north and east.

		PROPERTY DE	TAILS		
Address		3900 Gellatly Ro	ad		
PID		011-646-551	011-646-551		
Folio		36415416.000			
Lot Size		1.12 acres (4532	.48 sqm)		
Owner	Ruy Cabrita		Agent	Mark Takanen, Talo Build	
Current Zoning	Country Res (RU1)	idential Zone	Proposed Zoning	Comprehensive Development Zone (CD)	
Current OCP	Rural Reside	ential	Proposed OCP	Commercial	
Current Use	Single Detac	hed	Proposed Use	4 storey mixed- use building	
Development Permit Areas		Aquatic, Hillside,	Sensitive Terrestria	al	
Hazards		Hillside			
Agricultural La	and Reserve	No			

		ADJACENT ZONING & LAND USES
North	٨	Agricultural Zone (A1) / ALR
East	>	Agricultural Zone (A1) / ALR
West	<	Single Detached Residential (R1) & Parks and Open Space Zone (P1)
South	V	Parks and Open Space Zone (P1)

NEIGHBOURHOOD MAP



PROPERTY MAP



AGRICULTURAL LAND RESERVE AND A1 ZONING MAP



DISCUSSION

<u>Proposal</u>

The application is a zoning bylaw amendment from the Country Residential Zone (RU1) to a Comprehensive Development Zone (CD), and an OCP amendment from the Rural Residential Land Use Designation to Commercial.

Applicant's Rationale

The applicant has indicated they have applied for these amendments to build a fourstorey mixed-use building on the subject property. The building would include a maximum of 614m2 of commercial space at grade and 23 apartment units in the three storeys above.

Zoning and Policy Review

Official Community Plan Bylaw No. 0300

Rural Residential Land Use Designation (Existing)

The existing Land Use Designation of the subject property in the Official Community Plan is Rural Residential. The Rural Residential Land Use Designation permits single detached dwellings (including suites and carriage houses), agricultural activities, and home industry uses. Uses are to be at a low density, low rise, and a maximum of three storeys.

Commercial Land Use Designation (Proposed)

The application proposes to change the Land Use Designation of the property to Commercial. The Commercial Land Use Designation permits commercial uses, mixed-use buildings, intuitional uses, live-work units, parks and open space, and pedestrian connections. Uses are to be low density, low-rise to mid-rise, and a maximum of four storeys.

Development Permit Areas

If the applicant wishes to develop the site with the proposed mixed-use building a Multi-Family Development Permit and Commercial Development Permit will be required. In addition, the site is within the Hillside, Sensitive Terrestrial Ecosystem, and Aquatic Ecosystem Development Permit Areas. These development permits would also be required unless exemptions in the Official Community Plan can be met.

Zoning Bylaw No. 0265

The purpose of the Country Residential Zone (RU1) is to accommodate rural, agricultural, and residential uses on parcels of land that are 0.5 ha or greater. Principal uses include, but are not limited to, agriculture, greenhouse or plant nursery, and single detached dwelling. The application proposes to rezone the property to a Comprehensive

Development Zone (CD). The CD Zone would be custom to the proposed development and permit a four-storey mixed-use building. The City's existing Neighbourhood Commercial Zone (C2) permits a mixed-use building but not the specific proposal (proposal would permit general retail use instead of convenience retail, a larger FAR, and an increased height).

Agricultural Setbacks and Buffers

As per s.3.25 of the Zoning Bylaw, principal buildings must be a minimum of 15.0m from land with the A1 Zone or Agricultural Land Reserve. A buffer must also be provided. For mixed-use development, as is proposed in the CD Zone, a level 2 buffer is required (6.0 m in width and composed of fencing, shrubs, and trees).

As per s.3.26 of the Zoning Bylaw, larger setbacks are required for portions of taller buildings abutting agricultural land. Setbacks increase to 21.0 m for any fourth storey or portion of a building over 9.0m in height.

The proposed CD Zone includes a 15.0 m setback from the agricultural land. No buffer is shown on the preliminary development plans.

Agricultural Plan

One of the recommendations in the Agricultural Plan is Recommendation 23: Land Use Management and Buffering. This recommendation includes the following Objective and Policy:

Objective - To create appropriate separations for land uses that abut agriculture and to ensure land in the Agricultural Land Reserve and zoned A1 is engaged in agricultural production.

Policy - The City of West Kelowna continues to consider edge planning strategies that do not interfere with farming operations, as one option for supporting existing farm operations and mitigating potential land use conflict.

The subject property is adjacent to land in the ALR and zoned A1 to the north and east. The proposed CD Zone includes a 15.0 m setback from the agricultural land. No buffer is shown on the preliminary development plans.

Referrals

The application has been referred to various external agencies and internal departments. The below response was received from the Agricultural Land Commission:

It is noted that the apartment development lies outside the ALR, but adjacent to the ALR. As such the ALC is pleased that the area(s) adjacent to the ALR are used for parking, and that the residences are located as far from the ALR boundary as possible.

It is recommended that the development be fenced with a trespass fence and that residences be advised through a notation on the title that the adjacent ALR could be used for intensive farming and that farm noises and odors might be expected in the future.

TECHNICAL REVIEW

Geotechnical Considerations

The applicant has provided a geotechnical report. The report confirms, from a geotechnical point of view, that the proposed development is feasible, provided the recommendations outlined in the report are incorporated into the overall design. Further geotechnical analysis will be required.

Environmental/Aquatic Considerations

The applicant has provided an environmental report. The report states the property is within Environmental Sensitivity Area (ESA) 4 - Not Sensitive, and ESA 3 – Low. As per the report it is expected 97% of totals ESAs (Low and Not Sensitive) will be directly impacted (lost) to the proposed development.

KEY CONSIDERATIONS

In providing recommendations to City staff and Council, the AAC may wish to consider the following:

- The existing Country Residential Zone (RU1) does not permit the proposed four storey mixed-use building. A rezoning to a Comprehensive Development Zone is proposed.
- The proposal is not consistent with the Rural Residential Land Use Designation in the Official Community Plan. An OCP amendment to the Commercial Land Use Designation is proposed.
- A 15.0m setback from adjacent agricultural land is proposed. No buffer is proposed.

Specific comments would be appreciated should the AAC have any concerns with the proposed zoning bylaw and official community plan amendments, so that they may be further investigated or considered prior to staff providing a recommendation to Council as part of consideration of the application.

Respectfully submitted,

Yvonne Mitchell, Planner III

	Powerpoint: Yes ⊠	No □
	•	
Attachments:		
Draft Architectural Drawings		
2. Proposed CD Zone		
Relevant Zoning Bylaw Sections		
3. Relevant Zonling Dylaw Sections		
Dago 12 of 51		

*CONSULTING: Change Orders/Requests A(18/03/2024)— Add Cut/Fill Data & X—Sections

*BUILDING SYSTEM CONSULT OPTIONS: SEE: TALO Build-pcm-MET ON-SITE WOOD FRAME(STICK) ELEMENTS MODULAR SIPS(STRUCTURAL INSULATED PANELS) MODERN LOG(HIRSI) STEEL FRAME CONCRETE mot-PB(AKOKS) **TALO** POST & BEAM(TIMBER)

DESIGNER: motakanen design

TALO Build-PCM System

PLANNING: In Process CONSULTING: Pending MANAGEMENT: Not Applicable

Permits/Revisions/Change Orders-

For Planning Review - 03/06/2021

For Planning Review 21/07/2021
For Rezone Review 17/08/2021
For Development Application 12/10/2021
For Civil Engineer Review 26/11/2022
For Civil Engineer Review 09/01/2023

For Civil Engineer Review - 05/02/2023 For Rezone Application - 09/02/2023

For Rezone Application— 17/03/2023
For Rezone Application— 29/05/2023
For Rezone Application— 09/02/2024
*For Rezone Application— 18/03/2024(A)

PROJECT RESUME (REZONING FROM RU1 TO CD-OCP AMENDMENT FROM RURAL RESIDENTIAL TO COMMERCIAL)

CONSTRUCTION TYPE: OCCUPANCY TYPE: PARCEL IDENTIFIER NO .: LEGAL DESCRIPTION:

COMMERCIAL/RESIDENTIAL COMMERCIAL/OFFICE/TOURIST/MULTI-FAMILY 011-646-551

DISTRICT LOT: 5017 OSOYOOS DIVISION YALE DISTRICT EXCEPT PLAN H14324

PROJECT STREET ADDRESS:

3900 GELLATLY ROAD WEST KELOWNA, BRITISH COLUMBIA, CANADA

SQUARE FOOTAGES:

COMMERCIAL(FIRST FLOOR-A): PARKADE(FIRST FLOOR-B): RESIDENTIAL (SECOND FLOOR) RESIDENTIAL (THIRD FLOOR): RESIDENTIAL(FOURTH FLOOR):

THIS DRAWING IS THE PROPERTY OF "TALO Build".

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m TIER: 2}$ files, issues and/or questions. Available 24/7.

ANY REPRODUCTION OR CHANGES ARE STRICTLY PROHIBITED.

CONTACT "TALO Build" DIRECT FOR ALL DESIGN AND DRAFTING

COMMERCIAL TOTALS: PARKADE TOTALS:(EX RESIDENTIAL TOTALS:

 $6637 \text{ SQ. FT. SPACE} \quad \text{UNITS} = 6 / \text{STALLS} = 50$ 6910 SQ. FT. SPACE UNITS = 0 / STALLS = (20)13792 SQ. FT. SPACE UNITS = 10 / STALLS = 10 13792 SQ. FT. SPACE UNITS = 7 / STALLS = 10

13792 SQ. FT. SPACE UNITS = 5 / STALLS = 86637 SQ. FT. SPACE UNITS = 6 / STALLS = 506910 SQ. FT. SPACE UNITS = 0 / STALLS = (20) FLOOR AREA TOTAL:

NOTES:

OFFICIAL.

58923 SQ. FT. SPACE UNITS = 28 / STALLS = 78(20)

*FAR-FLOOR AREA TOTAL:

PARCEL/LOT AREA TOTAL:

2. SUBMITTAL DOCUMENTS FOR DEFERRED SUBMITTAL ITEMS SHALL BE SUBMITTED TO THE ARCHITECT of

RECORD, WHO SHALL REVIEW THEM and FORWARD THEM

TO THE BUILDING OFFICIAL WITH A NOTATION INDICATING

THAT THE DEFERRED SUBMITTAL DOCUMENTS HAVE BEEN

REVIEWED and THAT THEY HAVE BEEN FOUND TO BE IN GENERAL CONFORMANCE WITH THE DESIGN of THE

BUILDING. THE DEFERRED SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN and SUBMITTAL

DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING

GENERAL CONTRACTOR/BUILDER:

LEGAL OWNER: ROY CABRITA 1. ROOF TRUSS & JOIST DESIGN SHALL BE THE ONLY DEFERRED SUBMITTAL. SEE "B" SECTION. WEST KELOWNA

BRITISH COLUMBIA CANADA

motakanen design

ARCHITECTURAL DESIGN:

PLANNING-CONSULTING-MANAGEMENT: TALO Build www.talobuild.com

motakanen design

PROPERTY STEWARD: TALO Build www.talobuild.com

SHEET INDEX

FOUNDATION PLAN, DETAILS & NOTES FIRST FLOOR PLAN(COMMERCIAL), DETAILS & NOTES

2-APARTMENT

-APARTMENT

3-apartment

SECOND FLOOR PLAN(OFFICE), DETAILS & NOTES THIRD FLOOR PLAN(RESIDENTIAL), DETAILS & NOTES FOURTH FLOOR PLAN(RESIDENTIAL), DETAILS & NOTES

EXTERIOR ELEVATION, South & West Facing

EXTERIOR ELEVATION, North & East Facing

A3.1 BUILDING SECTION 1 & NOTES BUILDING SECTION 2 & NOTES

ROOF-DRAINAGE PLAN & GENERAL NOTES A4.2 TRUSS/JOIST PLAN & NOTES

SITE PLAN(FP) - LEGAL - PLAÌN-

SITE, DRAINAGE & LANDSCAPE PLAN(FC)

REFLECTED CEILING PLAN C/W ELECTRICAL

A7 HVAC & PLUMBING PLAN C/W SPECIFICATIONS

STRUCTURAL ENGINEER DRAWINGS, DETAILS & NOTES TRUSS MANUFACTURER DRAWINGS & NOTES FLOOR JOIST MANUFACTURER DRAWINGS & NOTES INTERIOR FLOOR MATERIAL PLANS & NOTES KITCHEN PLAN, DETAILS & NOTES CABINETRY PLAN, DETAILS & NOTES SECURITY SYSTEM DRAWINGS. DETAILS & NOTES ENERGY COMPLIANCE FORMS INTERIOR MATERIAL LIST & COLOUR BOARD EXTERIOR MATERIAL LIST & COLOUR BOARD PERSPECTIVES & 3D PLAN ANIMATION & VISUALIZATION PLAN CIVIL ENGINEER DRAWINGS, DETAILS & NOTES GEOTECHNICAL ENGINEER DRAWINGS, DETAILS & NOTES

M1-7 mot-DS - STANDARDS, DETAILS & NOTES SHEET

PLANNING-CONSULTING-MANAGEMENT

FOR REZONING

*UPDATED: 18/03/2024

ESTE DIBUJO ES PROPIEDAD DE "TALO Build". ESTA ESTRICTAMENTE PROHIBIDOS CUALQUIER REPRODUCCION O MODIFICACION CONTACTE A "TALO Build" DIRECTAMENTE PARA CUALQUIER DISEÑO, ARCHIVOS Y QUALQUIER INFORMACION. DISPONIBLE 24/7.





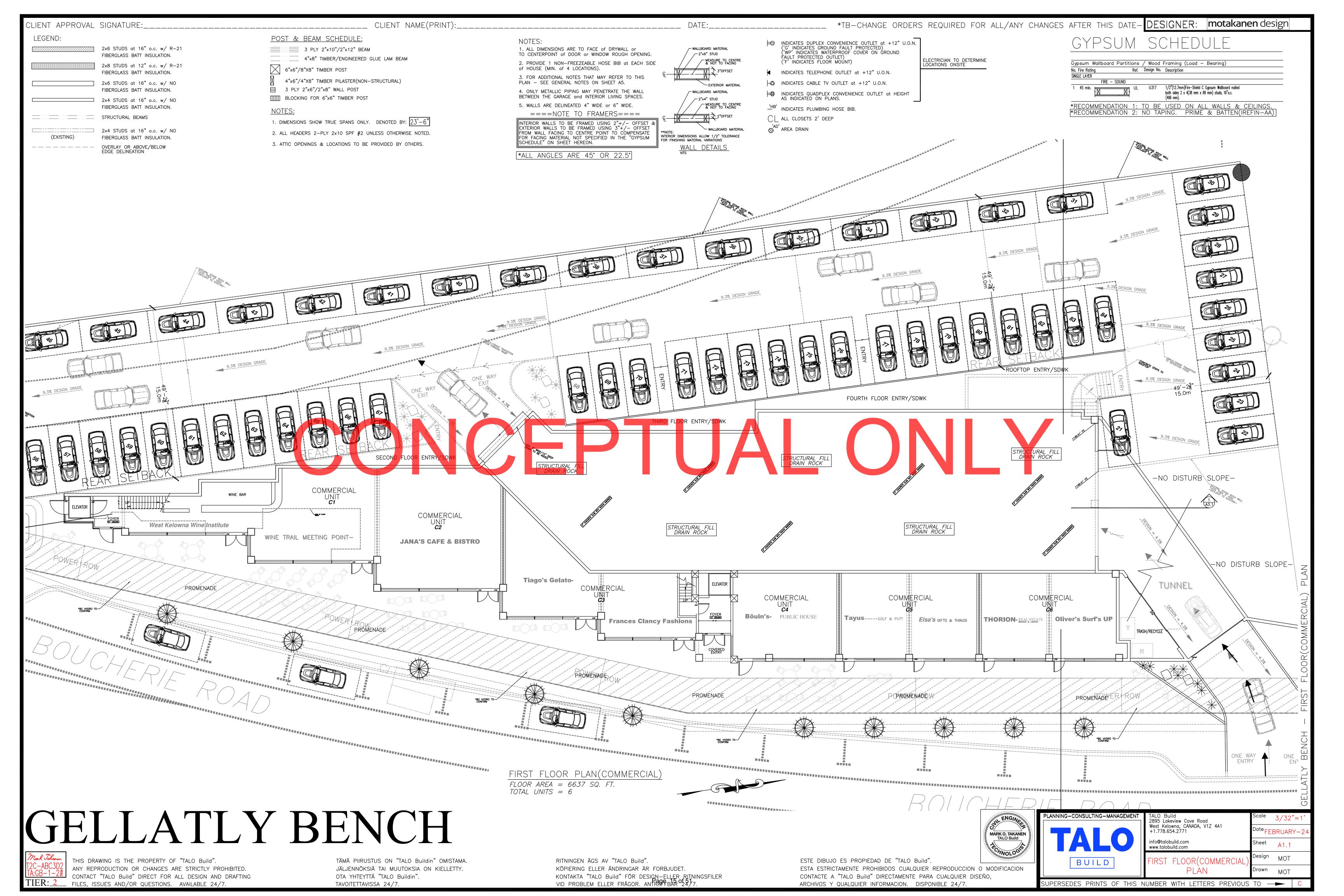


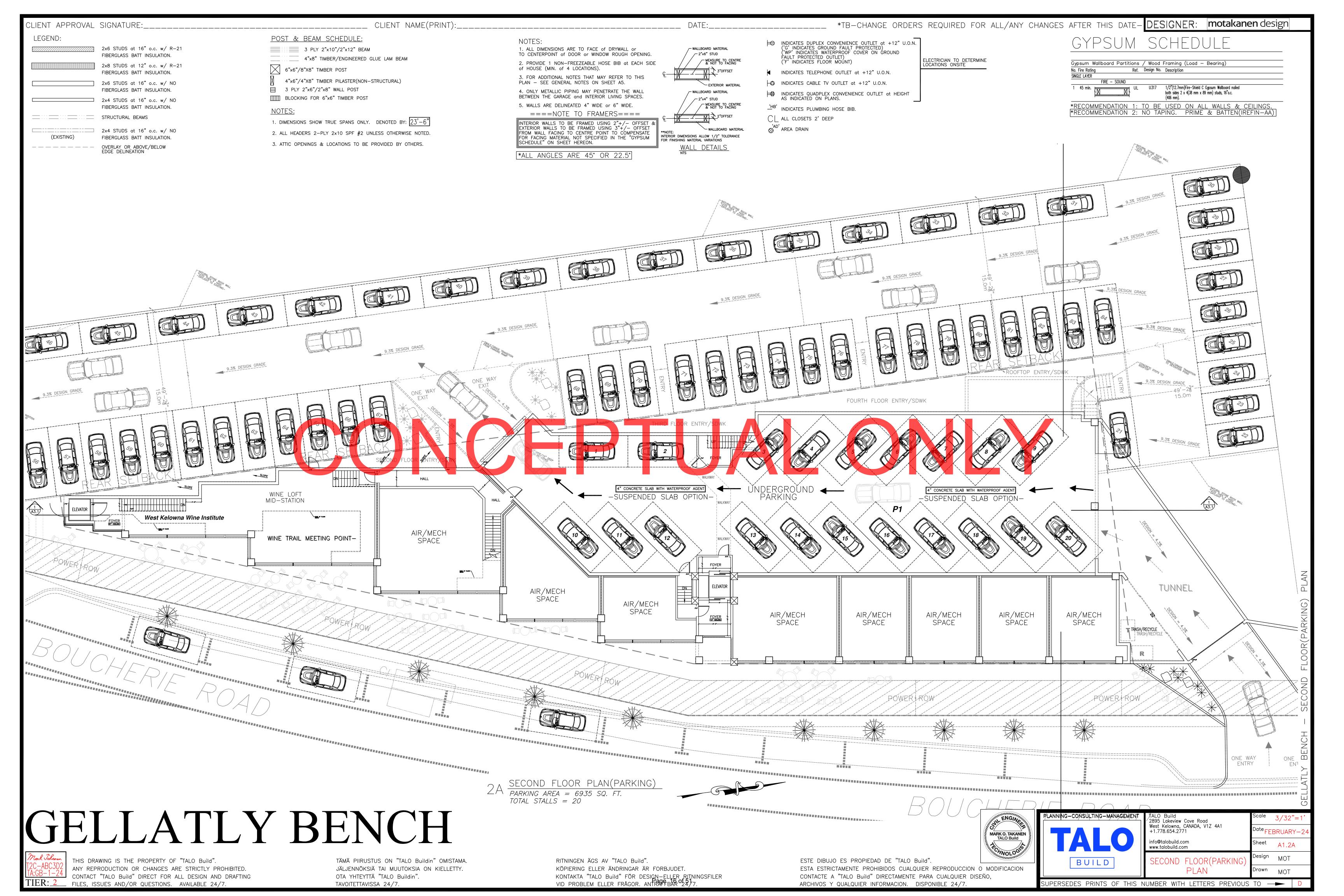
45376 SQ. FT. SPACE UNITS = 22 / STALLS = 28

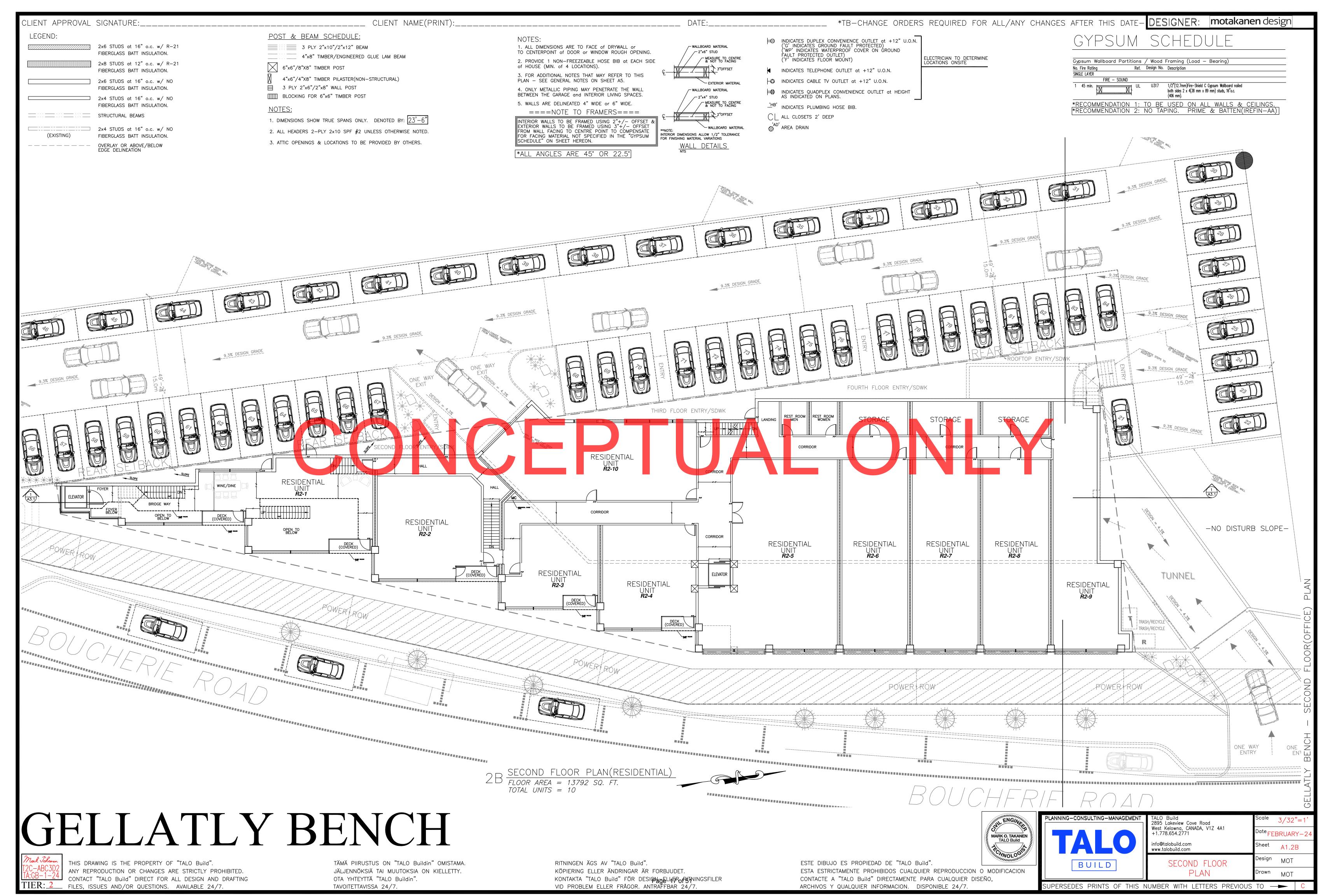
TÄMÄ PIIRUSTUS ON "TALO Buildin" OMISTAMA.

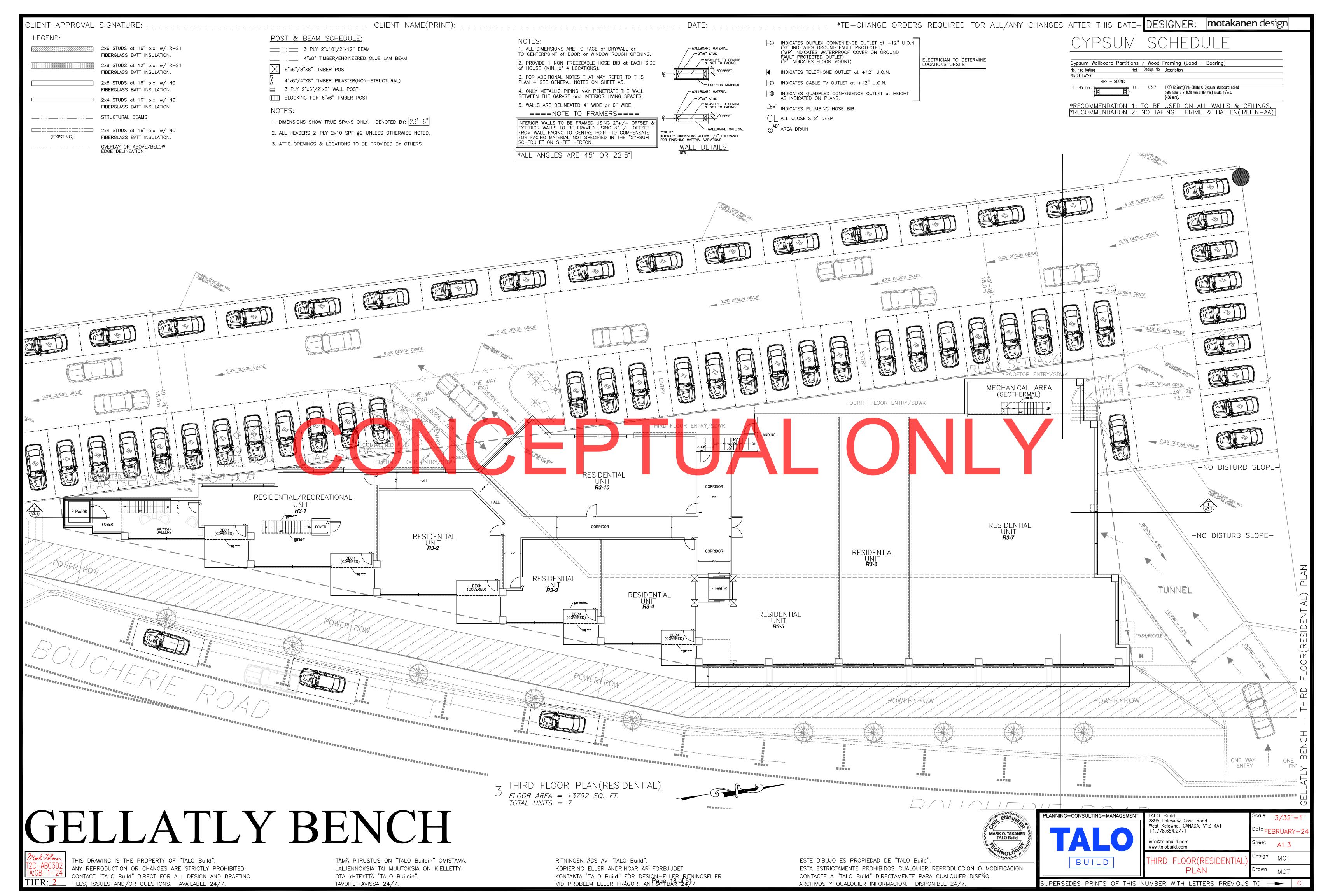
JÄLJENNÖKSIÄ TAI MUUTOKSIA ON KIELLETTY. OTA YHTEYTTÄ "TALO Buildin". TAVOITETTAVISSA 24/7.

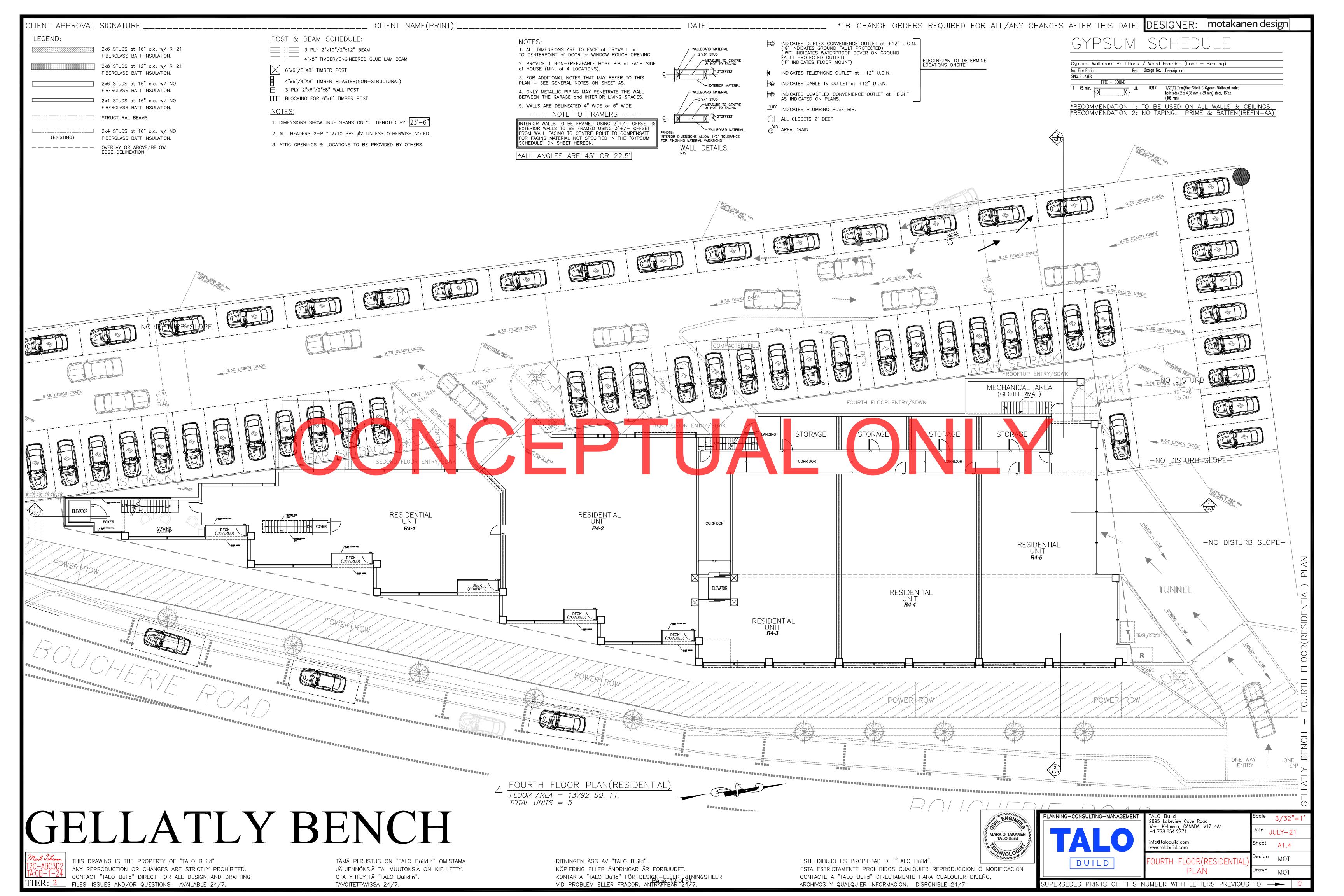
RITNINGEN ÄGS AV "TALO Build". KÖPIERING ELLER ÄNDRINGAR ÄR FORBJUDET. KONTAKTA "TALO Build" FÖR DESIGN-ELLER RITNINGSFILER VID PROBLEM ELLER FRÅGOR. ANTRÆFFBAR 24/7.

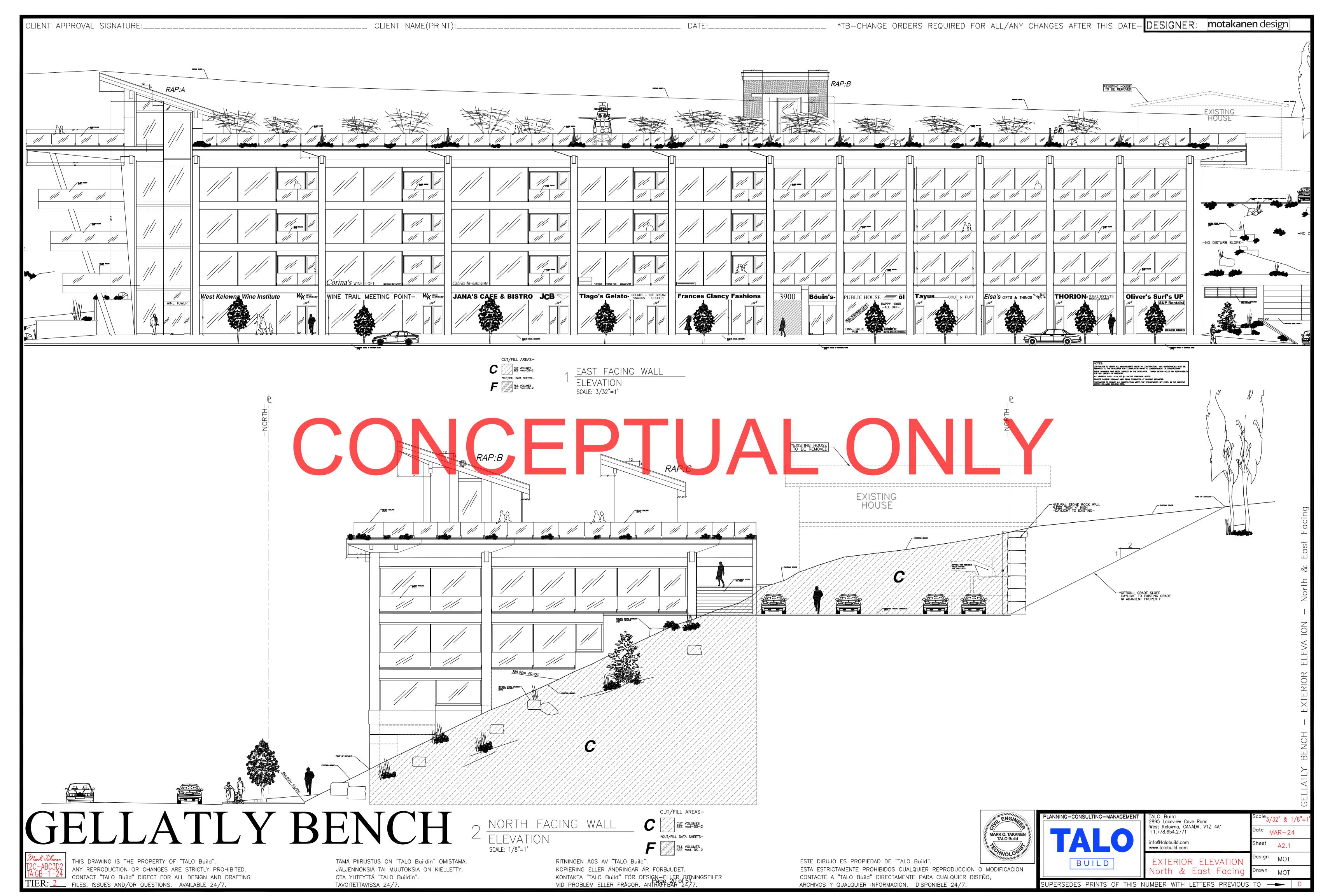


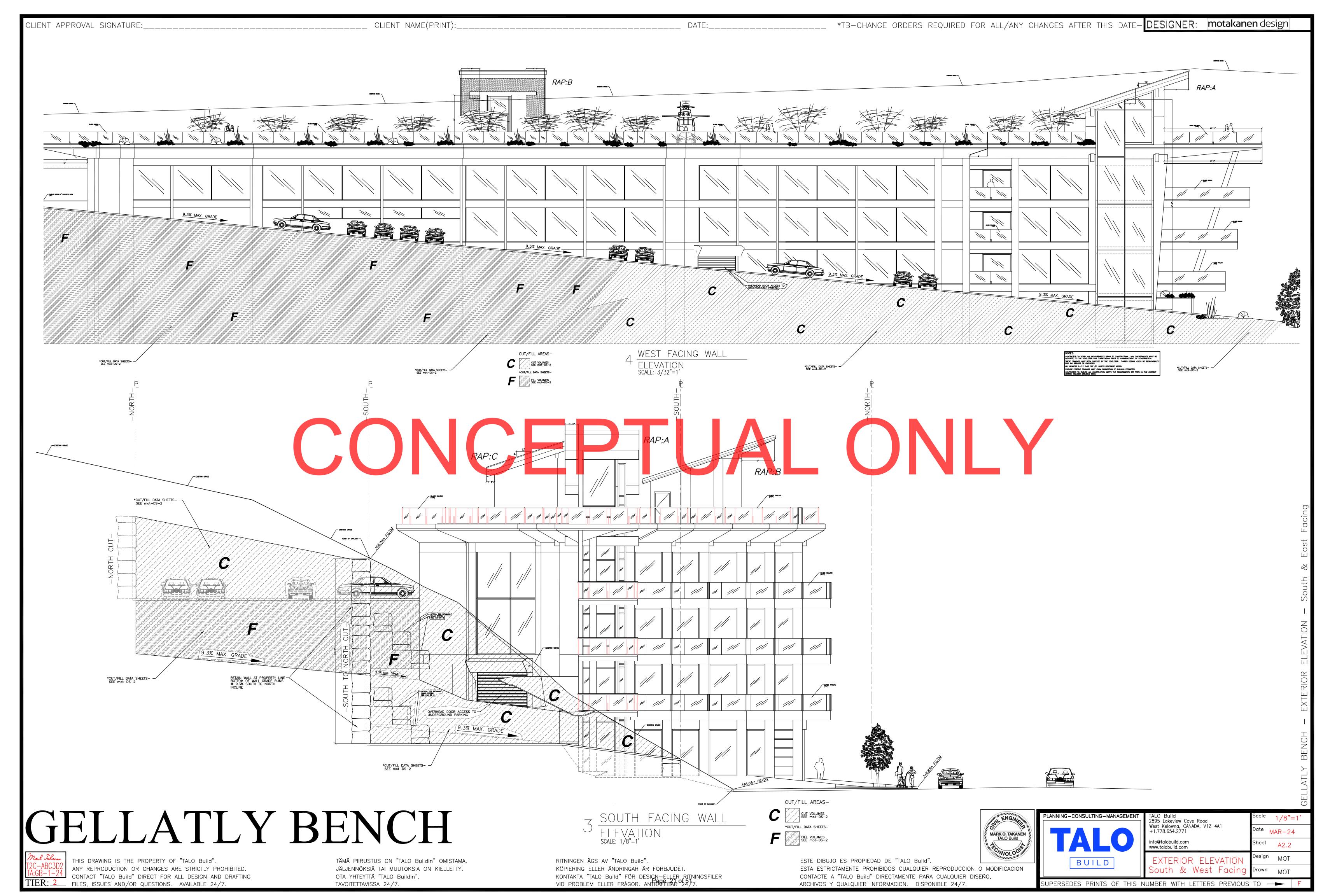


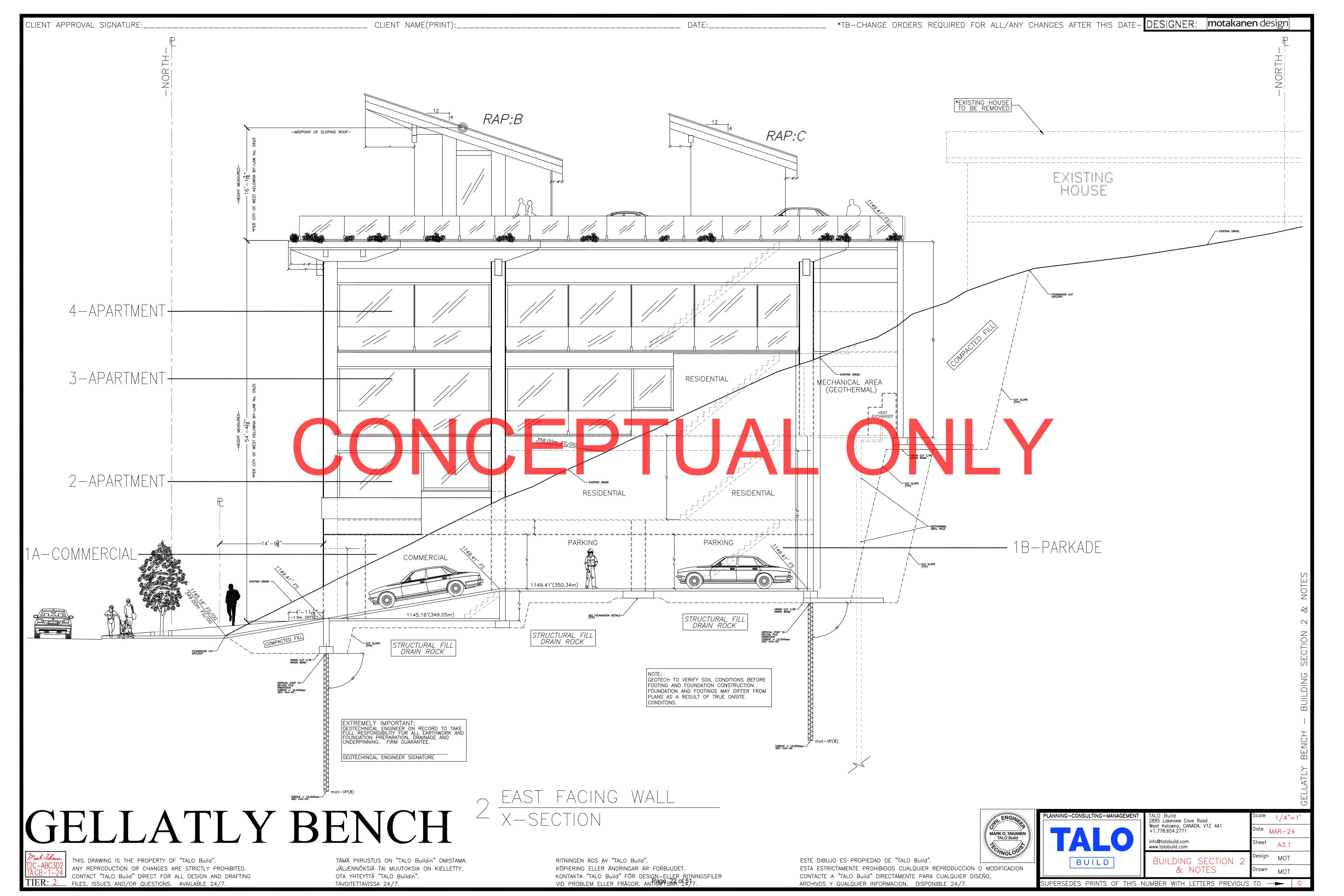


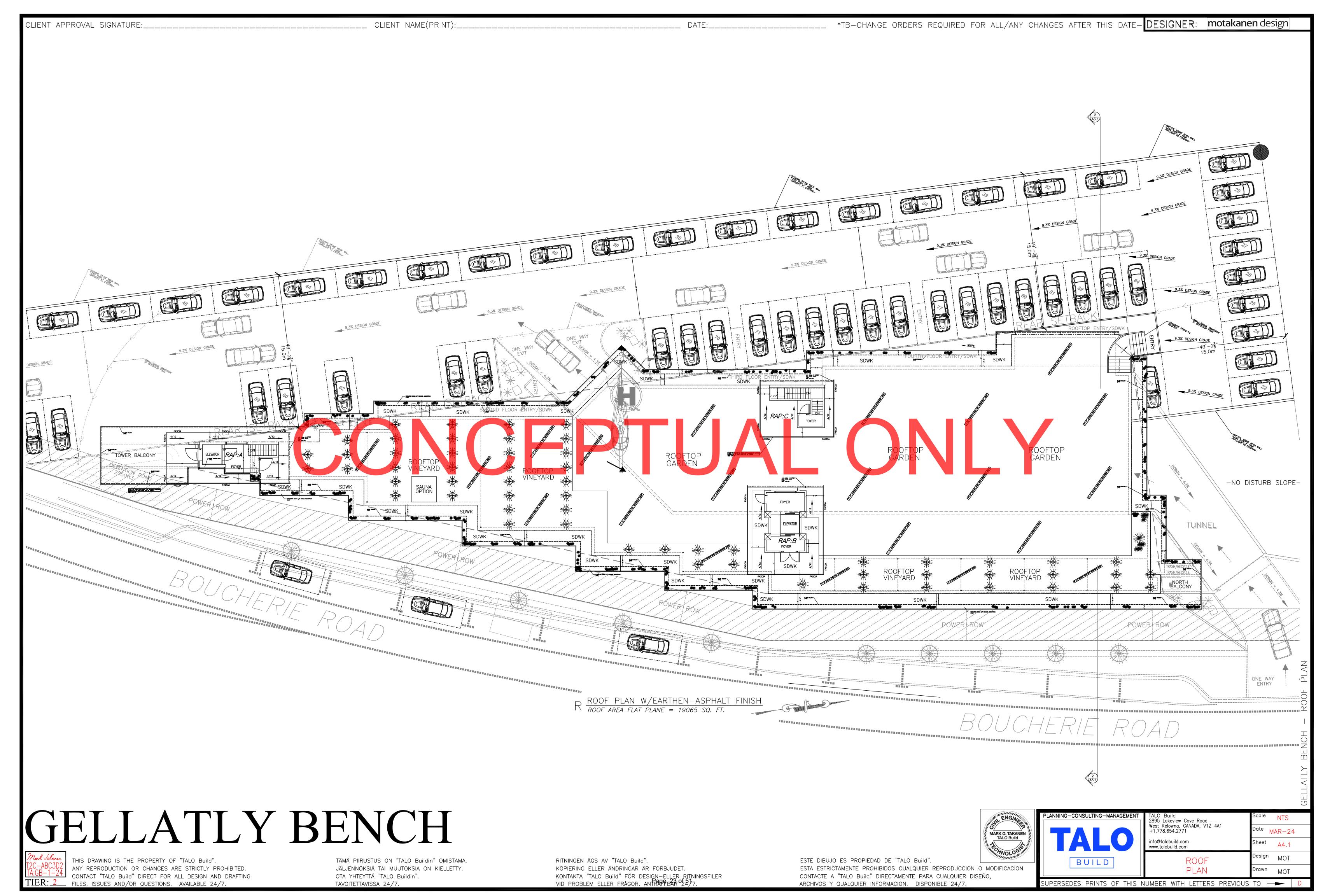


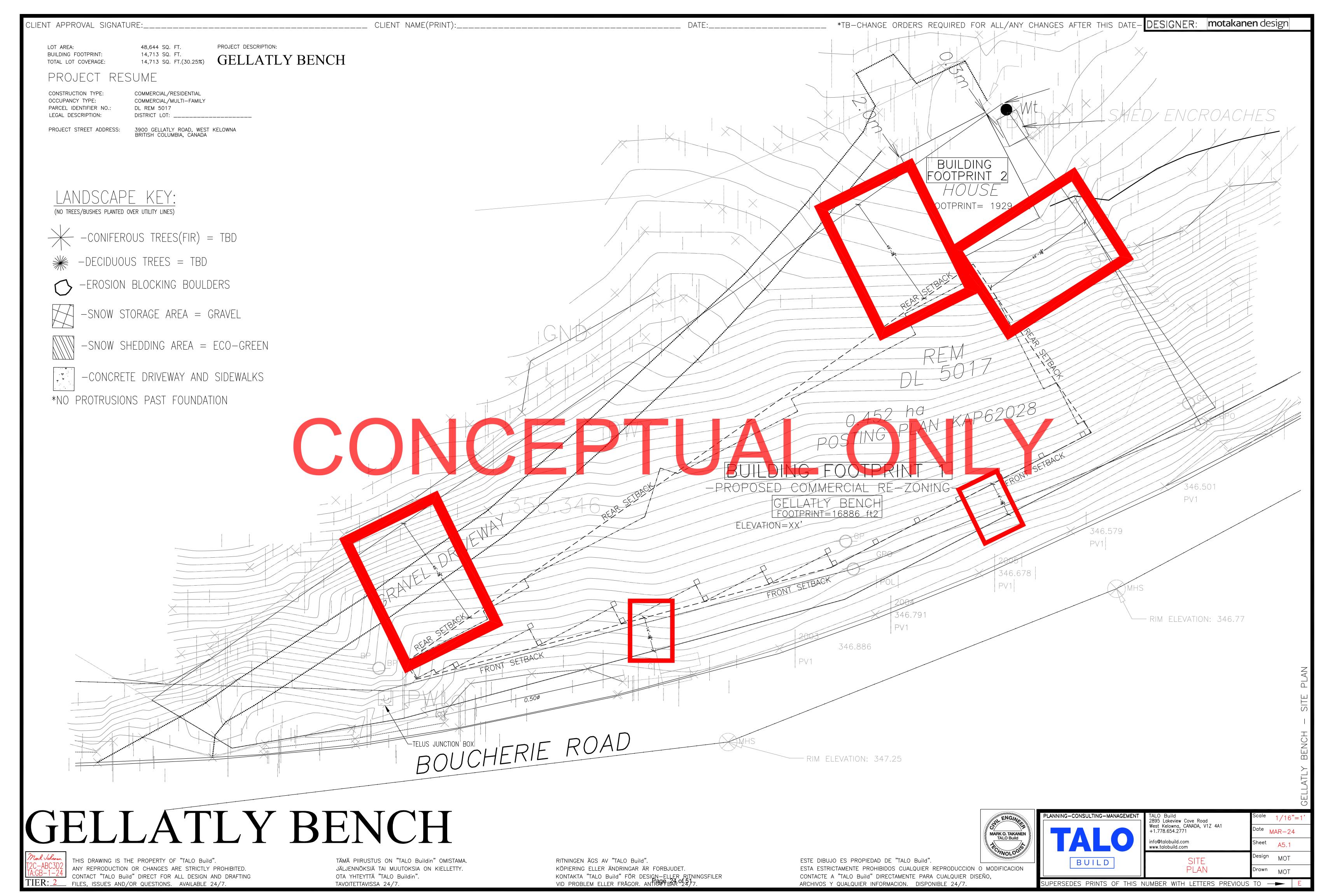


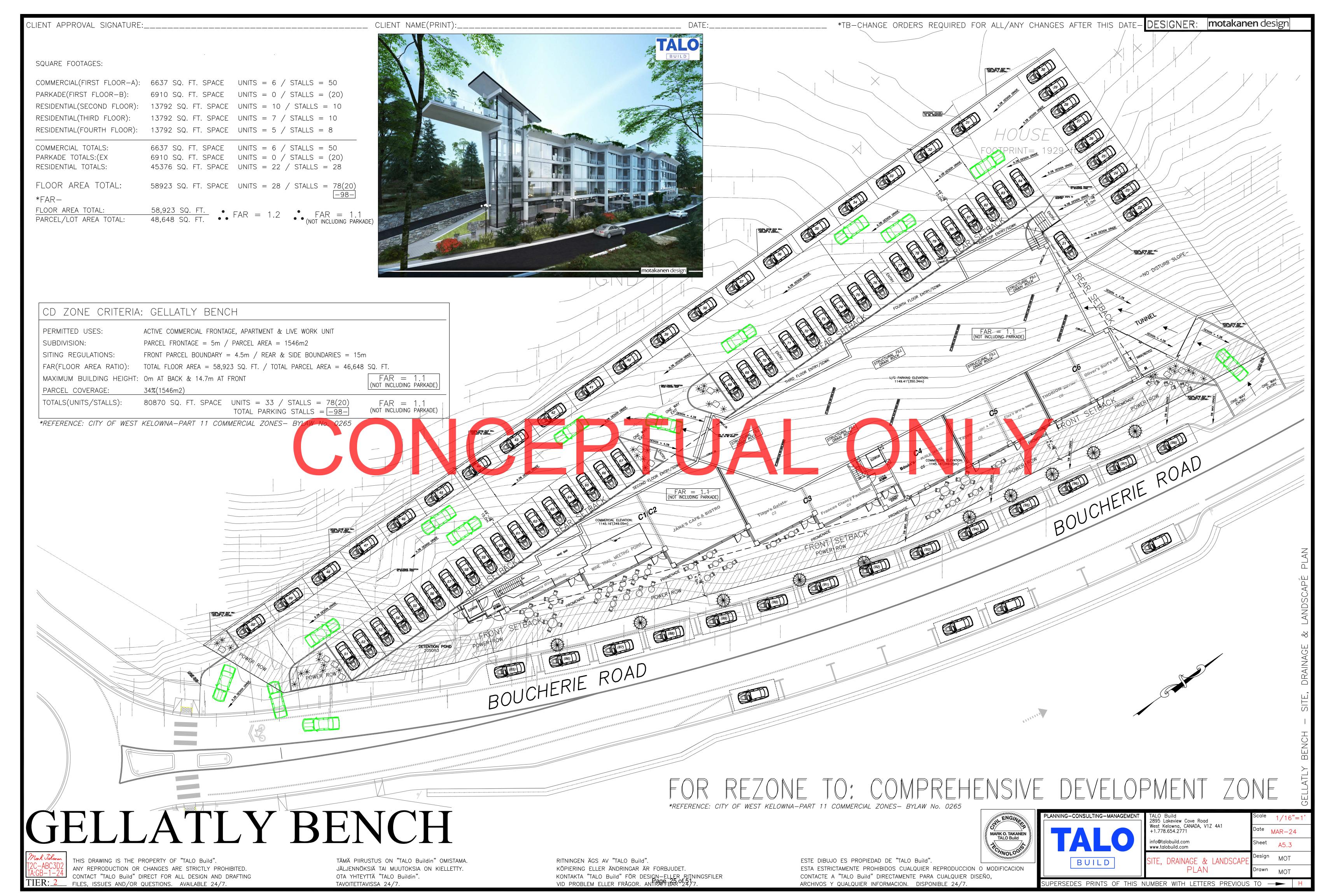












CD13 – Comprehensive Development Zone (Gellatly Bench)

.1 Purpose

To accommodate a mix of apartment and commercial uses with an active commercial frontage.

.2 Principal Uses, Buildings and Structures

- (a) Apartment
- (b) Office
- (c) Personal service establishment
- (d) Restaurant
- (e) Retail, general

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- **(b)** Home based business, minor

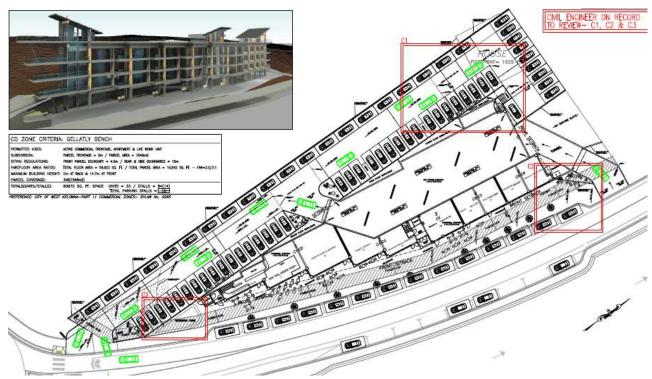
.4 Regulations Table

SUBDIVISION REGULATIONS			
(a)	Minimum parcel area	4,530 m ²	
(b)	Minimum parcel frontage	12.2 m	
	DEVELOPMENT REGULA		
(c)	Maximum Density	1.1 FAR	
(d)	Maximum parcel coverage	35%	
(e)	Maximum GFA and maximum units by use		
i.	Commercial use	Max. 614 m ²	
ii.	Residential (total)	Max. 23 units (total)	
	One (1) bedroom	Max. 15 units	
	• Two (2) + bedroom	Max. 8 units	
(f)	Maximum building height (see Figure 2)	22 m (to a maximum of 4 storeys)	
	SITING REGULATIONS		
(h)	Buildings and structures shall be sited at least the		
	indicated in the middle column below, that is ind opposite that feature:	licated in the right-hand column	
.1	Front parcel boundary (Gellatly Road)	4.5 m	
.2	Rear parcel boundary (adjacent to A1/ALR)	15.0 m	
.3	Interior side parcel boundary (adjacent to A1/ALR)	15.0 m	
.4	Exterior side parcel boundary (Boucherie Road)	4.5 m	
	1	1	

.5 Other Regulations

- (a) Commercial Uses
 - i. All commercial uses shall be limited to the first storey of a building.
- (b) Apartment
 - i. All apartments shall be located on a separate storey above the non-residential use.

Figure 1: Site Plan with Renderings

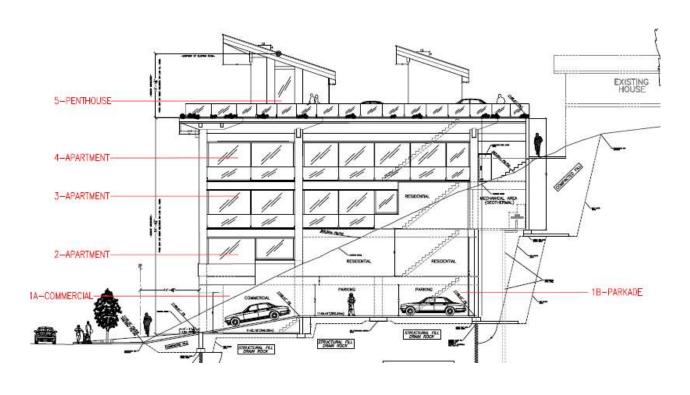


Site Plan-



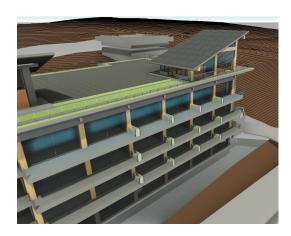
South-West Facing Elevation-

Figure 2 – Elevation/Section Drawings





West Facing Elevation-



- (b) In a Single or Duplex Residential Zone, the required minimum distance of principal buildings, principal structures, and carriage houses from land within the Agricultural Zone (A1) or land within the ALR is reduced to 9.0 m (24.6 ft) if a Level 1 buffer is provided and maintained.
- (c) Sections 3.25.1(a) and (b) do not apply to ALR lands within Westbank First Nation.
- .2 Measurement of Minimum Distance from Agricultural Land
 - (a) The minimum distance from land as specified in Section 3.25.1 shall be measured as follows:
 - i. From the parcel boundary abutting the A1 Zone or ALR land, whichever is closest to the non-farm use; or
 - ii. For parcels separated from the A1 Zone or ALR by a highway, the highway will form part of the required minimum distance from the boundary of the A1 Zone or ALR land; or
 - iii. For split zoned parcels or parcels located partially within the ALR, from the boundary of the A1 Zone or ALR land, whichever is closest to the non-farm use.

.3 Agricultural Buffers

(a) A buffer shall be provided and maintained when non-farm buildings and structures are constructed on parcels directly abutting A1 zoned land or land in the ALR, as specified in Table 3.14 and the specifications below.

Table 3.14 Buffer type

Non-Farm Use	Location and Buffer Type
Single detached dwelling, carriage house and	Level 1
duplex residential	
Multi-unit residential and mixed use residential	Level 2
Non-residential uses, except industrial	Level 2

(b) Buffer Location

- i. The required buffer shall be provided and maintained on the non-agricultural parcel in the following location:
 - a) Within the required minimum siting distance as set out in the regulations table of each zone;
 - b) Along any parcel boundary abutting the A1 Zone or ALR boundary, whichever is closest to the non-farm use; and
 - c) For split zoned parcels or parcels located partially within the ALR, along the boundary of the A1 Zone or ALR lands, whichever is closest to the non-farm use.

(c) Plant Materials

- Buffers shall be comprised of native plant materials and the retention of existing vegetation supplemented where necessary to provide the required buffer specifications.
 - a) The following plant species are not permitted:
 - (i) All trees of the genus Malus (apples or crabapples, including all ornamental or flowering crabapples);
 - (ii) All trees of the genus Pyrus (pears, including Asian and ornamental pears);
 - (iii) All trees of the genus Prunus (flowering cherries and flowering plum);
 - (iv) All plants of the genus Cydonia (quince);
 - (v) All non-native plants of the genus Juniperus (juniper);
 - (vi) All non-native trees of the genus Crataegus (hawthorn);
 - (vii) The Berberis vulgaris (common barberry) plant;
 - (viii) All plants of the genus Chaenomeles (flowering quince or japonica); and
 - (ix) All plants classified as noxious weeds in any bylaw of the City of West Kelowna or Regional District of Central Okanagan.

(d) Minimum Buffer Width

i. Level 1 and 2 Buffers shall have the minimum buffer widths as specified in Table 3.15.

Table 3.15 Minimum buffer width

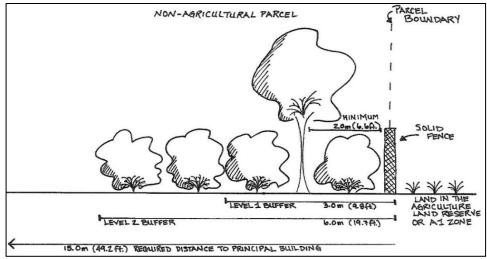
Type of Buffer	Minimum Buffer Width
Level 1 Buffer	3.0 m (9.8 ft)
Level 2 Buffer	6.0 m (19.7 ft)

(e) Minimum Buffer Specifications

i. Level 1 and 2 Buffers shall consist of the following (as illustrated in *Figure* 3.2 below):

- a) A fence a minimum of 2.0 m (6.6 ft) in height, located along the boundary abutting the A1 Zone or ALR land as specified in Section 3.25.3(b).
- b) A screening hedge comprising drought-tolerant coniferous or deciduous species located immediately adjacent to the fence comprised of:
 - (i) Shrubs which are planted at a maximum spacing of 1.0 m (3.3 ft) on

Figure 3.2 - Level 1 and 2 buffer specifications



centre with a minimum 2.0 gallon pot size at time of planting; and

- (ii) Trees which are at least 2.0 m (6.6 ft) high, planted at a maximum spacing of 5.0 m (16.4 ft) on centre.
- c) Additional shrubs planted on the remainder of the buffer.

3.26 SITING FOR PORTIONS OF TALLER BUILDINGS ABUTTING AGRICULTURAL LAND

- .1 In Multiple Residential, Commercial, and Park and Institutional Zones, principal buildings shall be stepped back from land zoned Agricultural Zone (A1) or land within the ALR abutting the parcel on which the building is constructed as follows:
 - (a) 15.0 m (49.2 ft) for the first two storeys or portion of the building less than or equal to 6.0 m (19.7 ft) in height, whichever is less;
 - (b) 18.0 m (59.1 ft) for any third storey or portion of the building over 6.0 m (19.7 ft) in height, whichever is less;
 - (c) 21.0 m (68.9 ft) for any fourth storey or portion of the building over 9.0 m (29.5 ft) in height, whichever is less; and
 - (d) Sections 3.26.1 (a), (b), and (c) do not apply to ALR land within Westbank First Nation.

PART 9 - RURAL ZONES

9.1. COUNTRY RESIDENTIAL ZONE (RU1)

.1 Purpose

To accommodate rural, agricultural, and residential uses on parcels of land that are 0.5 ha or greater.

.2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Agriculture, intensive in ALR only
- (c) Alcohol production facility in ALR only
- (d) Cannabis production facility in ALR only
- (e) Greenhouse or plant nursery
- (f) Modular home
- (g) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Bed and breakfast
- (c) Care facility, minor
- (d) Carriage house (may be subject to ALC regulations)
- (e) Home based business, major
- (f) Kennel, hobby
- (g) Retail sales of farm products or processed farm products
- (h) Secondary suite
- (i) Short term accommodation

.4 Site Specific Uses, Buildings and Structures - Reserved

.5 Regulations Table

	SUBDIVISION REGULATIONS			
(a)	Minimum parcel area	0.5 ha (1.2 ac)		
(b)	Minimum parcel frontage	30 m (98.4 ft)		
	DEVELOPMENT REGUL	ATIONS		
(c)	Maximum density:			
i.	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel		
ii.	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel		
(d)	Maximum parcel coverage:			
i.	For all uses, buildings and structures other than a greenhouse	20%		
ii.	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures		

(e)	Maximum building height is 15.0 m (49.2 ft) ex	cept for the following:
i.	Single detached dwelling and modular home	10.0 m (32.8 ft) to a maximum of 3 storeys
ii.	Buildings used as part of a farm operation as defined in the Farm Practices Protection Act	15.0 m (49.2 ft)
iii.	Accessory buildings and structures	5.0 m (16.4 ft)
iv.	Carriage house	7.0 m (23.0 ft)
	SITING REGULA	TIONS
(f)	Buildings and structures shall be sited at least the distance from the feature indicated the middle column below, that is indicated in the right-hand column opposite that feature:	
i.	Front parcel boundary	6.0 m (19.7 ft)
ii.	Rear parcel boundary	7.5 m (24.6 ft)
iii.	Interior side parcel boundary	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and 12.0 m (39.3 ft) for any portion above 9.0 m (29.5ft)
iv.	Exterior side parcel boundary	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and 12.0 m (39.3 ft) for any portion above 9.0 m (29.5ft)
٧.	A1 Zone or ALR	Subject to Section 3.25
vi.	Watercourses	Subject to Section 3.27
(g)	Despite 9.1.5(f), the following uses, buildings and structures shall be sited at least the distance indicated in the right-hand column below, opposite that feature indicated in the middle column, from any parcel boundary:	
i.	Buildings housing animals, kennel and greenhouse	15.0 m (49.2 ft)
ii.	Cannabis production facility	30.0 m (98.4 ft) except it is 60.0 m (196.9 ft) from any P zone

.6 Other Regulations - Reserved



September 22, 2023

File No: Z 20-08

1087032 BC LTD 301-1026 16 AVE NW

Dear Robert Moskovitz:

Re: Zoning Amendment

2211 CAMPBELL RD - ALL THAT PORTION OF DISTRICT LOT 522,GROUP 1,OSOYOOS DIVISION YALE DISTRICT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH WEST CORNER OF SAID DISTRICT LOT; THENCE SOUTH 11 CHAINS 61 LINKS MORE OR LESS ALONG THE WESTERLY BOUNDARY; THENCE EASTERLY PARALLEL TO THE NORTHERLY BOUNDARY TO OKANAGAN LAKE; THENCE FOLLOWING THE SHORE LINE OF SAID LAKE IN A NORTH EASTERLY DIRECTION TO THE NORTH EAST CORNER OF SAID DISTRICT LOT 522; THENCE WESTERLY ALONG THE NORTH BOUNDARY TO THE POINT OF COMMENCEMENT AND CONTAINING BY A MEASUREMENT 16 ACRES MORE OR LESS.

On Tuesday, September 12, 2023 the Municipal Council of the City of West Kelowna passed the following resolution (C314/23):

THAT Council adopt the City of West Kelowna Official Community Plan Amendment Bylaw No. 100.62, 2021;

THAT Council rescind third reading to the City of West Kelowna Zoning Amendment Bylaws No. 154.96 and 154.97, 2021;

THAT Council give third reading as amended to the City of West Kelowna Zoning Amendment Bylaws No. 265.16 and 265.17, 2023;and

THAT Council adopt the City of West Kelowna Zoning Amendment Bylaws No. 265.16 and 265.17, 2023.

Should you have any questions regarding this matter, please contact Jayden Riley, Planner III at 778-797-8830.

Yours truly,

Casey Loudoun
Casey Loudoun

Planning Technician

Attach: OCP Bylaw 100.62, Zoning Bylaw 0265.16, Zoning Bylaw 0265.17

cc: George Mylonas gmylonas@landstarcommunities.com

Norman Lecavalier <u>nlecavalier@shaw.ca</u>

Building Department

Development Engineering

BC Assessment Authority

Advisory Planning Commission (APC)

CITY OF WEST KELOWNA

BYLAW NO. 0100.62

A BYLAW TO AMEND "OFFICIAL COMMUNITY PLAN BYLAW NO. 0100"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA OFFICIAL COMMUNITY PLAN BYLAW NO. 0100" under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 0100.62, 2021".

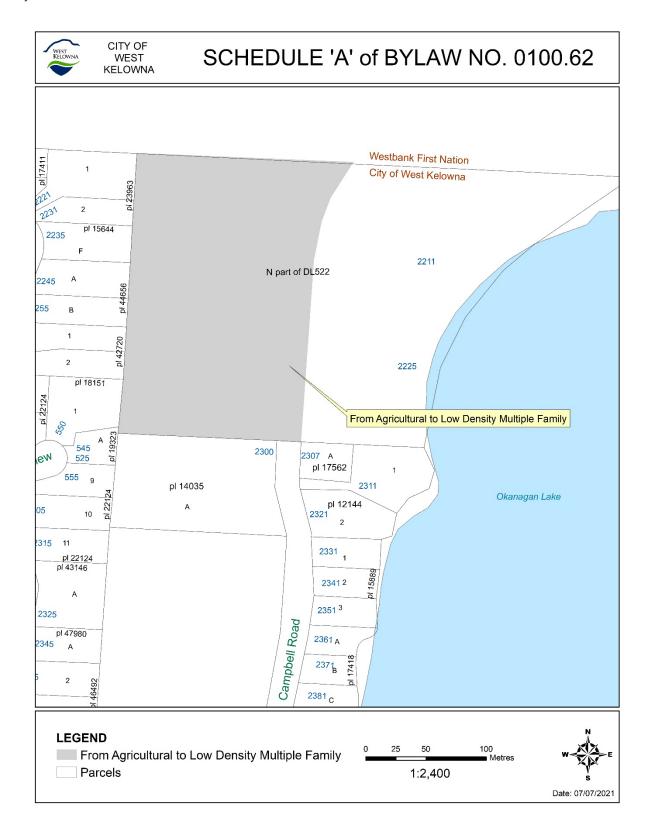
2. Amendments

"City of West Kelowna Official Community Plan Bylaw No. 0100" is hereby amended as follows:

- 2.1 By changing the designation on a portion of all that portion of District Lot 522, Group 1, ODYD, more particularly described as follows: commencing at the north west corner of said District Lot; thence south 11 chains 61 links more or less along the westerly boundary; thence easterly parallel to the northerly boundary to Okanagan Lake; thence following the shoreline of said lake in a north easterly direction to the north east corner of said District Lot 522; thence westerly along the north boundary to the point of commencement and containing by a measurement 16 acres more or less, as shown on Schedule 'A' attached to and forming part of this bylaw from Agricultural to Low Density Multiple Family.
- 2.2 By depicting the change on "City of West Kelowna Official Community Plan Bylaw No. 0100 Schedule 1" (Land Use Plan).

READ A FIRST TIME THIS 24^{TH} DAY OF AUGUST, 2021 READ A SECOND TIME THIS 14^{TH} DAY OF DECEMBER, 2021 PUBLIC HEARING HELD THIS 9^{TH} DAY OF FEBRUARY, 2022 READ A THIRD TIME THIS 19^{TH} DAY OF APRIL, 2022 ADOPTED THIS 12^{TH} DAY OF SEPTEMBER, 2023

Y OF APRIL, 2022 EMBER, 2023	
	MAYOR
Page 36 of 51	CORPORATE OFFICER



BYLAW NO. 0265.16

A BYLAW TO AMEND "ZONING BYLAW NO. 0265"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0265 under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0265.16, 2023".

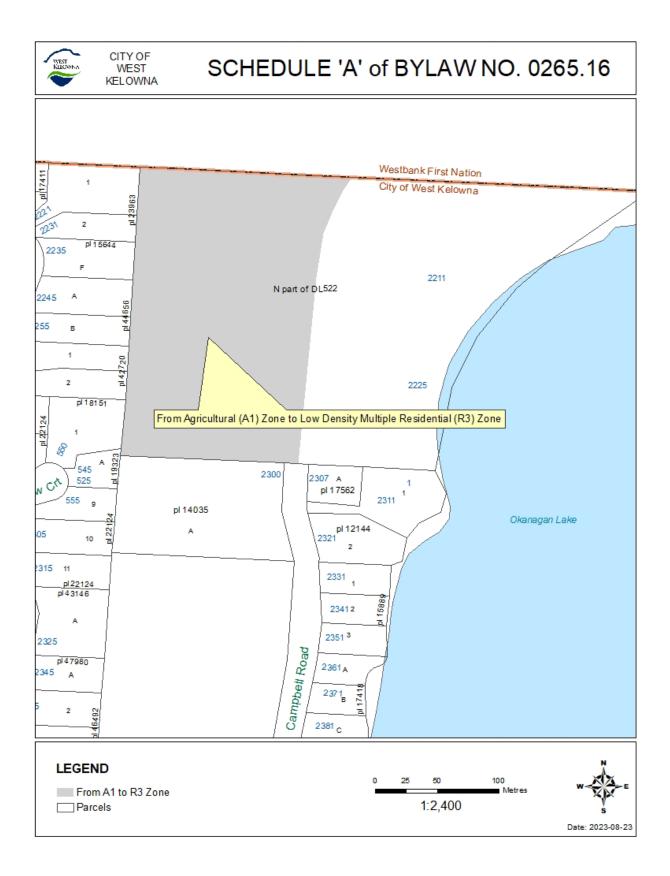
2. Amendments

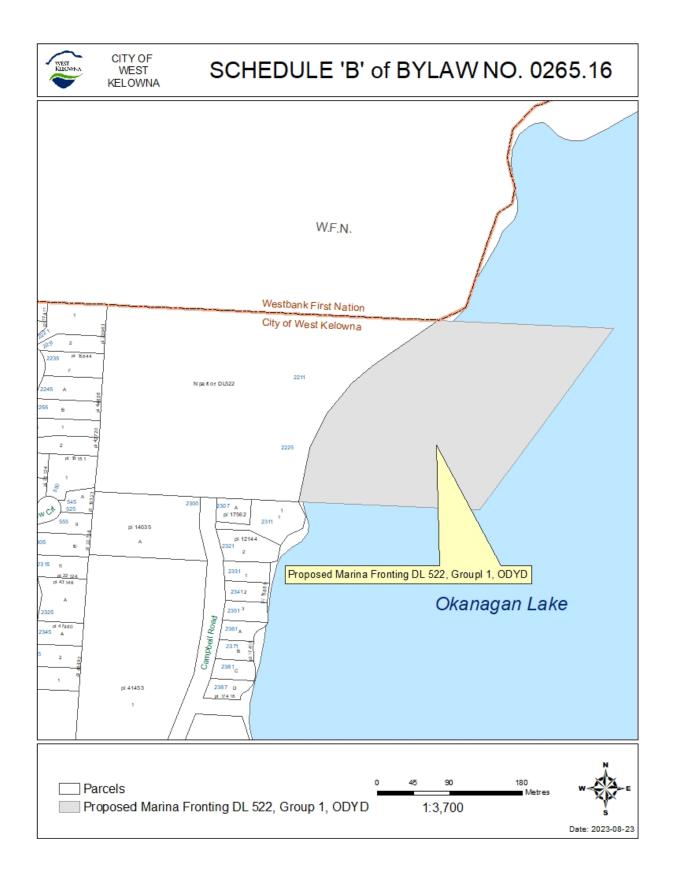
"Zoning Bylaw No. 0265" is hereby amended as follows:

- 2.1 By changing the zoning on a portion of all that portion of District Lot 522, Group 1, ODYD, more particularly described as follows: commencing at the north west corner of said District Lot; thence south 11 chains 61 links more or less along the westerly boundary; thence easterly parallel to the northerly boundary to Okanagan Lake; thence following the shoreline of said lake in a north easterly direction to the north east corner of said District Lot 522; thence westerly along the north boundary to the point of commencement and containing by a measurement 16 acres more or less, from Agricultural Zone (A1) to Low Density Multiple Residential Zone (R3) as shown on Schedule 'A' attached to and forming part of this bylaw.
- 2.2 By adding to Part 10 Low Density Multiple Residential Zone (R3), s. 10.10.4, Site Specific Uses, Buildings and Structures, the following:
 - (g) On the R3 zone portion of District Lot 522, Group 1, ODYD:
 - .1 The parking requirements shall include parking for any boat slips accessory to the upland residential use in any dock permitted on or fronting District Lot 522, Group 1, ODYD sited as indicated on Schedule 'B' attached to and forming part of Zoning Amendment Bylaw No. 0265.16; and
 - .2 Despite Section 10.10.2, no more than 60 dwelling units are permitted in either duplex or townhouse form.
- 2.3 By depicting the change on "Zoning Bylaw No. 0265 Schedule B" (Zoning Bylaw map).

READ A FIRST TIME THIS 24^{TH} DAY OF AUGUST, 2021 READ A SECOND TIME THIS 14^{TH} DAY OF DECEMBER, 2021 PUBLIC HEARING HELD THIS 9^{th} DAY OF FEBRUARY, 2022 READ A THIRD TIME THIS 19^{TH} DAY OF APRIL, 2022 RESCIND THIRD READING, READ A THIRD TIME AS AMENDED AND ADOPTED THIS 12^{TH} DAY OF SEPTEMBER, 2023

•	MAYOR
	CORPORATE OFFICER





BYLAW NO. 0265.17

A BYLAW TO AMEND "ZONING BYLAW NO. 0265"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0265" under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0265.17, 2023".

2. Amendments

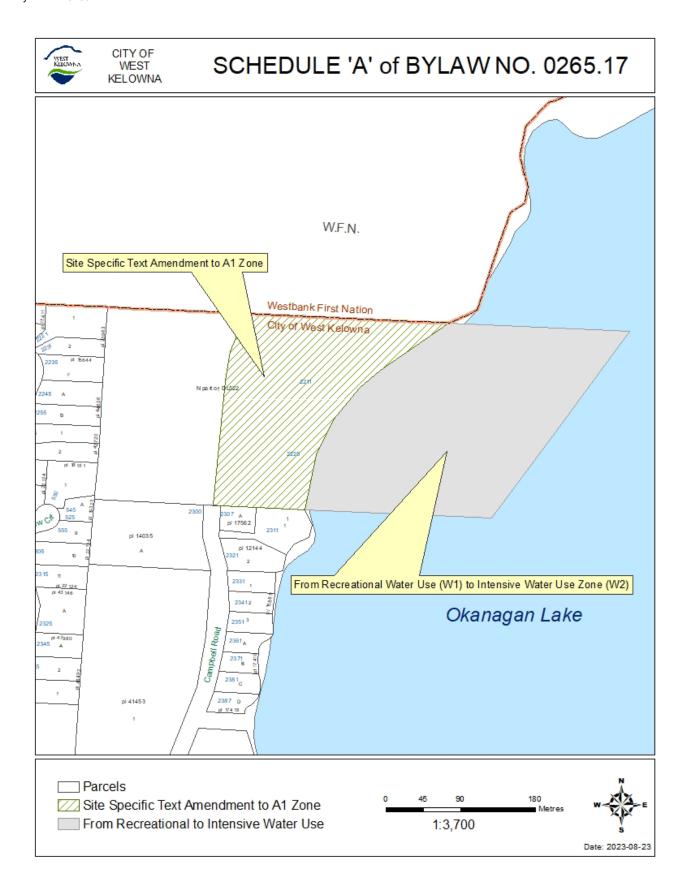
"Zoning Bylaw No. 0265 is hereby amended as follows:

- 2.1 By adding to Part 8 Agricultural Zone (A1), s. 8.1.4 Site Specific Uses, Buildings and Structures, the following:
 - (f) On a portion of District Lot 522, Group 1, ODYD:
 - .1 Dock and temporary moorage access, including vehicular and pedestrian, is permitted as sited generally within the area indicated on Schedule 'B' attached to and forming part of Zoning Amendment Bylaw No. 0265.17.
- 2.2 By changing the zoning on a portion of the unsurveyed Crown land being part of the bed of Okanagan Lake and fronting on District Lot 522, Group 1, ODYD, more particularly described as follows: commencing at the north west corner of said District Lot; thence south 11 chains 61 links more or less along the westerly boundary; thence easterly parallel to the northerly boundary to Okanagan Lake; thence following the shoreline of said lake in a north easterly direction to the north east corner of said District Lot 522; thence westerly along the north boundary to the point of commencement and containing by a measurement 16 acres more or less, as shown on Schedule 'A' attached to and forming part of this bylaw, from Recreational Water Use Zone (W1) to Intensive Water Use Zone (W2).
- 2.3 By adding to Part 6 Intensive Water Use Zone (W2), s. 6.2.4, Site Specific Uses, Buildings and Structures, the following:
 - (d) On the unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting District Lot 522, Group 1, ODYD:
 - .1 No structure shall be greater than 130 m meters in length, as measured from the natural boundary; and
 - .2 Despite Section 6.2.2(c), no more than one boat slip per upland residential unit is permitted for the docking of boats accessory to the

- upland residential use sited as indicated on Schedule 'C' attached to and forming part of Zoning Amendment Bylaw No. 0265.17;
- .3 Despite Section 6.2.2(b), Boat launch shall not be permitted; and
- .4 Despite Section 6.2.2(d), Retail, convenience shall not be permitted.
- 2.4 By depicting the changes on "Zoning Bylaw No. 265 Schedule B" (Zoning Bylaw Map).

READ A FIRST TIME THIS 24^{TH} DAY OF AUGUST, 2021 READ A SECOND TIME THIS 14^{TH} DAY OF DECEMBER, 2021 PUBLIC HEARING HELD THIS 9^{th} DAY OF FEBRUARY, 2022 READ A THIRD TIME THIS 19^{TH} DAY OF APRIL, 2022 RESCIND THIRD READING, READ A THIRD TIME AS AMENDED AND ADOPTED THIS 12^{TH} DAY OF SEPTEMBER, 2023

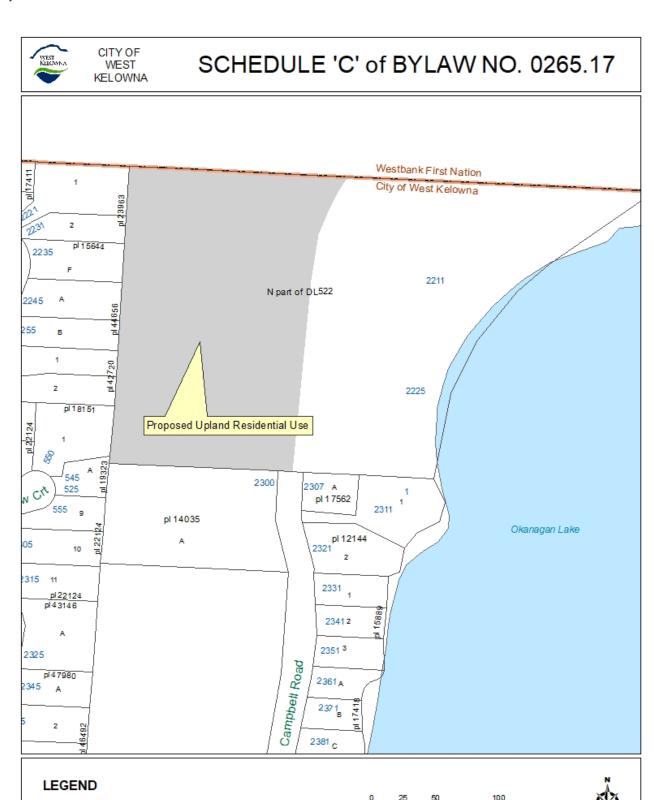
E AS AMENDED AND ADOPTED THIS	SCIND THIRD READING, READ A THIRD TIME HDAY OF SEPTEMBER, 2023
MAYOR	
CORPORATE OFFICER	<u>-</u>





Proposed Upland Residential Use

Parcels





Page 46 of 51

1:2,400

Date: 2023-08-23



April 15th, 2024

File No: Z 23-12

McElhanney Consulting Services Ltd. Box 313, Suite 100, 8305 -68th Avenue Osoyoos, BC V0H 1V0

Dear McElhanney Consulting Services Ltd.:

Re: Zoning Amendment

BOUCHERIE RD - Lot 5, DL 434, ODYD, Plan KAP2685

On Tuesday, March 26, 2024 the Municipal Council of the City of West Kelowna passed the following resolution (C104/24):

THAT Council give third reading and adopt OCP Amendment Bylaw No. 300.04,2024 & Zoning Amendment Bylaw No. 0265.24, 2024 (File Z 23-12).

Should you have any questions regarding this matter, please contact Brad Clifton, Senior Planner at 778-797-8830.

Yours truly,

Casey Loudoun

Planning Technician

Casey Loudoun

Attach: OCP No. 300.04, ZB 265.24

CC:

Building Department
Development Engineering
BC Assessment Authority
Advisory Planning Commission (APC)
Agricultural Advisory Committee (AAC)

BYLAW NO. 0300.04

A BYLAW TO AMEND "OFFICIAL COMMUNITY PLAN BYLAW NO. 0300"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA OFFICIAL COMMUNITY PLAN BYLAW NO. 0300" under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 0300.04, 2024".

2. Amendments

"City of West Kelowna Official Community Plan Bylaw No. 0300" is hereby amended as follows:

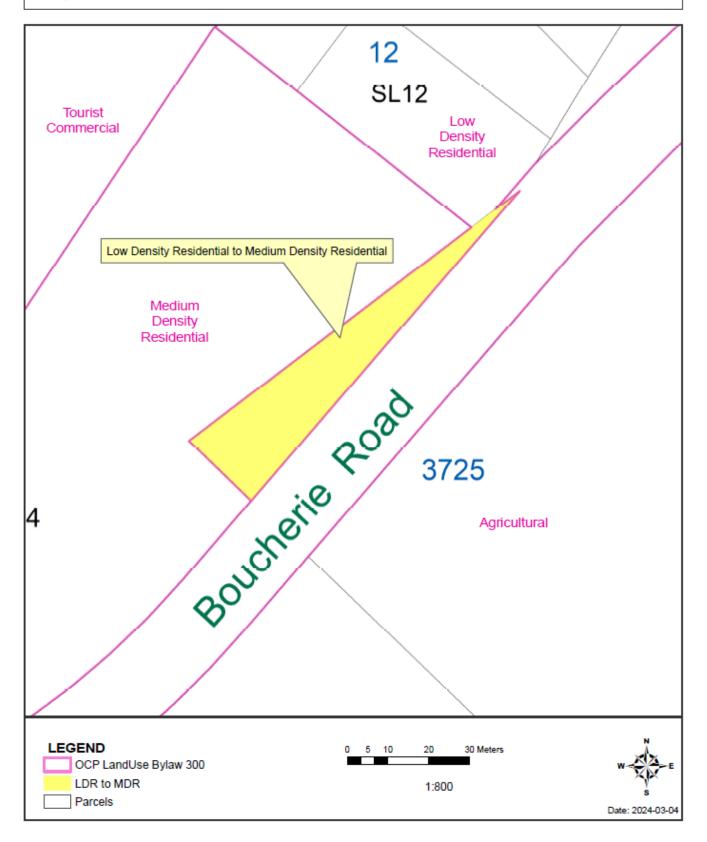
- 2.1 By changing the designation on LOT 5, PLAN KAP2685, DISTRICT LOT 434, OSOYOOS DIV OF YALE LAND DISTRICT, as shown on Schedule 'A' attached to and forming part of this bylaw, from Low Density Residential to Medium Density Residential.
- 2.2 By depicting the change on "City of West Kelowna Official Community Plan Bylaw No. 0300 Schedule 1" (Land Use Plan).

READ A FIRST AND SECOND TIME THIS 12^{TH} DAY OF MARCH, 2024 PUBLIC HEARING HELD THIS 25^{TH} DAY OF MARCH, 2024 READ A THIRD TIME AND ADOPTED BY THE MAJORITY OF ALL MEMBERS OF COUNCIL THIS 26^{TH} DAY OF MARCH, 2024

 MAYOR
 CORPORATE OFFICER



SCHEDULE 'A' of BYLAW NO. 0300.04



BYLAW NO. 0265.24

A BYLAW TO AMEND "ZONING BYLAW NO. 0265"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0265" under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0265.24, 2024".

2. Amendments

"City of West Kelowna Zoning Bylaw No. 0265" is hereby amended as follows:

- 2.1 By changing the zoning on LOT 5, PLAN KAP2685, DISTRICT LOT 434, OSOYOOS DIV OF YALE LAND DISTRICT, as shown on Schedule 'A' attached to and forming part of this bylaw, from Agricultural (A1) to Low Density Multiple Residential (R3) with a site specific amendment for apartments.
- 2.2 By depicting the change on "City of West Kelowna Zoning Bylaw No. 0265 Schedule B" (Zoning Bylaw Map).

READ A FIRST AND SECOND TIME THIS 12^{TH} DAY OF MARCH, 2024 PUBLIC HEARING HELD THIS 25^{TH} DAY OF MARCH, 2024 READ A THIRD TIME AND ADOPTED THIS 26^{TH} DAY OF MARCH, 2024

MAYOR
CORPORATE OFFICER

